

No. 24-1039

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

RUSSELL FOUTS, ET AL.,
Plaintiffs-Appellees,

v.

ROB BONTA, IN HIS OFFICIAL CAPACITY AS
ATTORNEY GENERAL OF THE STATE OF CALIFORNIA,
Defendant-Appellant.

**On Appeal from the United States District Court
for the Southern District of California**
No. 3:19-cv-01662-BEN-JLB
The Honorable Roger T. Benitez, Judge

**CIRCUIT RULE 28-2.7 ADDENDUM TO
APPELLANT’S OPENING BRIEF**

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¹ For the Court’s convenience, this addendum includes select historical statutes that are cited in the accompanying opening brief. Those historical laws are not exhaustive of all relevant analogues.

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§ 16590. “Generally prohibited weapon” defined, CA PENAL § 16590

West's Annotated California Codes

Penal Code (Refs & Annos)

Part 6. Control of Deadly Weapons (Refs & Annos)

Title 1. Preliminary Provisions (Refs & Annos)

Division 2. Definitions (Refs & Annos)

West's Ann.Cal.Penal Code § 16590

§ 16590. “Generally prohibited weapon” defined

Effective: January 1, 2022

Currentness

As used in this part, “generally prohibited weapon” means any of the following:

- (a) An air gauge knife, as prohibited by Section 20310.
- (b) Ammunition that contains or consists of a flechette dart, as prohibited by Section 30210.
- (c) A ballistic knife, as prohibited by Section 21110.
- (d) A belt buckle knife, as prohibited by Section 20410.
- (e) A bullet containing or carrying an explosive agent, as prohibited by Section 30210.
- (f) A camouflaging firearm container, as prohibited by Section 24310.
- (g) A cane gun, as prohibited by Section 24410.
- (h) A cane sword, as prohibited by Section 20510.
- (i) A concealed dirk or dagger, as prohibited by Section 21310.
- (j) A concealed explosive substance, other than fixed ammunition, as prohibited by Section 19100.
- (k) A firearm that is not immediately recognizable as a firearm, as prohibited by Section 24510.
- (l) A large-capacity magazine, as prohibited by Section 32310.

§ 16590. "Generally prohibited weapon" defined, CA PENAL § 16590

(m) A leaded cane or an instrument or weapon of the kind commonly known as a billy, blackjack, sandbag, sandclub, sap, or slungshot, as prohibited by [Section 22210](#).

(n) A lipstick case knife, as prohibited by [Section 20610](#).

(o) Metal knuckles, as prohibited by [Section 21810](#).

(p) A metal military practice handgrenade or a metal replica handgrenade, as prohibited by [Section 19200](#).

(q) A multiburst trigger activator, as prohibited by [Section 32900](#).

(r) A shobi-zue, as prohibited by [Section 20710](#).

(s) A short-barreled rifle or short-barreled shotgun, as prohibited by [Section 33215](#).

(t) A shuriken, as prohibited by [Section 22410](#).

(u) An unconventional pistol, as prohibited by [Section 31500](#).

(v) An undetectable firearm, as prohibited by [Section 24610](#).

(w) A wallet gun, as prohibited by [Section 24710](#).

(x) A writing pen knife, as prohibited by [Section 20910](#).

(y) A zip gun, as prohibited by [Section 33600](#).

Credits

(Added by [Stats.2010, c. 711 \(S.B.1080\)](#), § 6, operative Jan. 1, 2012. Amended by [Stats.2021, c. 434 \(S.B.827\)](#), § 22, eff. Jan. 1, 2022.)

West's Ann. Cal. Penal Code § 16590, CA PENAL § 16590

Current with urgency legislation through Ch. 8 of 2024 Reg.Sess. Some statute sections may be more current, see credits for details.

§ 22210. Manufacture, import, sale, supply or possession of..., CA PENAL § 22210

West's Annotated California Codes**Penal Code (Refs & Annos)****Part 6. Control of Deadly Weapons (Refs & Annos)****Title 3. Weapons and Devices Other than Firearms (Refs & Annos)****Division 8. Saps and Similar Weapons (Refs & Annos)****West's Ann.Cal.Penal Code § 22210**

§ 22210. Manufacture, import, sale, supply or possession of leaded
cane, billy, blackjack, sandbag, sandclub, sap, or slungshot; punishment

Effective: June 27, 2012

Currentness

Except as provided in [Section 22215](#) and Chapter 1 (commencing with [Section 17700](#)) of Division 2 of Title 2, any person in this state who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any leaded cane, or any instrument or weapon of the kind commonly known as a billy, blackjack, sandbag, sandclub, sap, or slungshot, is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to [subdivision \(h\) of Section 1170](#).

Credits

(Added by [Stats.2010, c. 711 \(S.B.1080\)](#), § 6, operative Jan. 1, 2012. Amended by [Stats.2012, c. 43 \(S.B.1023\)](#), § 97, eff. June 27, 2012.)

West's Ann. Cal. Penal Code § 22210, CA PENAL § 22210

Current with urgency legislation through Ch. 8 of 2024 Reg.Sess. Some statute sections may be more current, see credits for details.

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§ 22215. Wooden clubs or batons for special police officers..., CA PENAL § 22215

West's Annotated California Codes

Penal Code (Refs & Annos)

Part 6. Control of Deadly Weapons (Refs & Annos)

Title 3. Weapons and Devices Other than Firearms (Refs & Annos)

Division 8. Saps and Similar Weapons (Refs & Annos)

West's Ann.Cal.Penal Code § 22215

§ 22215. Wooden clubs or batons for special police officers and uniformed security guards; exception to Section 22210

Effective: January 1, 2012

Currentness

Section 22210 does not apply to the manufacture for, sale to, exposing or keeping for sale to, importation of, or lending of wooden clubs or batons to special police officers or uniformed security guards authorized to carry any wooden club or baton pursuant to Section 22295 by entities that are in the business of selling wooden clubs or batons to special police officers and uniformed security guards when engaging in transactions with those persons.

Credits

(Added by Stats.2010, c. 711 (S.B.1080), § 6, operative Jan. 1, 2012.)

West's Ann. Cal. Penal Code § 22215, CA PENAL § 22215

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§ 22290. Leaded cane, billy, blackjack, sandbag, sandclub,..., CA PENAL § 22290

West's Annotated California Codes

Penal Code (Refs & Annos)

Part 6. Control of Deadly Weapons (Refs & Annos)

Title 3. Weapons and Devices Other than Firearms (Refs & Annos)

Division 8. Saps and Similar Weapons (Refs & Annos)

West's Ann.Cal.Penal Code § 22290

§ 22290. Leaded cane, billy, blackjack, sandbag, sandclub, sap, or slingshot deemed nuisance; exceptions

Effective: January 1, 2012

Currentness

Except as provided in Section 22215 and in Chapter 1 (commencing with Section 17700) of Division 2 of Title 2, any leaded cane or any instrument or weapon of the kind commonly known as a billy, blackjack, sandbag, sandclub, sap, or slungshot is a nuisance and is subject to Section 18010.

Credits

(Added by Stats.2010, c. 711 (S.B.1080), § 6, operative Jan. 1, 2012.)

West's Ann. Cal. Penal Code § 22290, CA PENAL § 22290

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§ 22295. Carrying and use of wooden club or baton; course..., CA PENAL § 22295

West's Annotated California Codes

Penal Code (Refs & Annos)

Part 6. Control of Deadly Weapons (Refs & Annos)

Title 3. Weapons and Devices Other than Firearms (Refs & Annos)

Division 8. Saps and Similar Weapons (Refs & Annos)

West's Ann.Cal.Penal Code § 22295

§ 22295. Carrying and use of wooden club or baton; course of instruction and permit

Effective: January 1, 2024

Currentness

(a) Nothing in any provision listed in Section 16580 prohibits any police officer, special police officer, peace officer, or law enforcement officer from carrying any wooden club or baton.

(b) Nothing in any provision listed in Section 16580 prohibits a licensed private patrol operator, a qualified manager of a licensed private patrol operator, or a registered security guard, regularly employed and compensated by a person engaged in any lawful business, while actually employed and engaged in protecting and preserving property or life within the scope of employment, from carrying a baton if they comply with the requirements of Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code relating to the carrying and use of the baton.

(c) Any person who has received a permit or certificate that indicates satisfactory completion of a club or baton training course approved by the Commission on Peace Officer Standards and Training prior to January 1, 1983, shall not be required to obtain a baton permit pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code.

(d) Any person employed as a county sheriff's or police security officer, as defined in Section 831.4, shall not be required to obtain a baton permit pursuant to Chapter 11.5 (commencing with Section 7580) of Division 3 of the Business and Professions Code, if the person completes a course approved by the Commission on Peace Officer Standards and Training in the carrying and use of the baton, within 90 days of employment.

(e) Nothing in any provision listed in Section 16580 prohibits an animal control officer, as described in Section 830.9, a humane officer, as described in paragraph (5) of subdivision (h) of Section 14502 of the Corporations Code, or an illegal dumping enforcement officer, as described in Section 830.7, from carrying any wooden club or baton if the animal control officer, humane officer, or illegal dumping enforcement officer has satisfactorily completed the course of instruction certified by the Commission on Peace Officer Standards and Training in the carrying and use of the club or baton. The training institution certified by the Commission on Peace Officer Standards and Training to present this course, whether public or private, is authorized to charge a fee covering the cost of the training.

(f) This section shall become operative on January 1, 2024.

Credits

(Added by Stats.2022, c. 287 (A.B.2515), § 59, eff. Jan. 1, 2023, operative Jan. 1, 2024.)

§ 22295. Carrying and use of wooden club or baton; course..., CA PENAL § 22295

West's Ann. Cal. Penal Code § 22295, CA PENAL § 22295

Current with urgency legislation through Ch. 8 of 2024 Reg.Sess. Some statute sections may be more current, see credits for details.

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force & Vire en toutz pointz; et outre ceo est auxint assentuz q̄ si aucun alien eit purchacez ou desore purchace aucun benefice de Sainte Eglise Dignite ou autre & en ppre pnone pigne possession dicelle ou loccupie de fait, deinz mesme le Roialme, soit il a son oeps ppre, ou al oeps dautri sanz especiale congie du Roi, soit il compris en mesme lestatut, & outre ceo encourge en toutz pointz tielx peines & forfaiture come sont ordeignez p un autre estatut fait en lan xxv^e del regne luy noble Roi E. aiel nre f^r le Roi qore est, contre ceux q̄ purchacent gvisions dabbieus ou Priories; et en outre au fyn q̄ tielx licences ne se facent desore enavant, le Roi voet & comande a toutz ses lieges & autres q̄ls lour abstiegnent de cy enavant de luy prier dascuns tiels licences doner; et si voet auxi le Roi luy mesmes abstiegnent de doner aucune tielle licence, durantes les guerres horpris au Cardinal de Naples ou a autre especiale pnone a q̄ le Roi soit p especiale cause tenus.

Item est ordeignez & assentuz & le Roi defende q̄ desoremes null hōme chivache deinz le Roialme armez, encontre la forme de lestatut de Northampton sur ce fait, ne ovesq̄ lancegay deinz mesme le Roialme, les queux lancegayes soient de tout oustez deinz le dit Roialme come chose defendue p nre f^r le Roi, sur peine de forfaiture dicelx lancegayes armures & auts herneys quelconques es mayns & possession de celluy q̄ les porta desore deinz mesme le Roialme contre cestz estatut & ordinaances sanz especiale congie de Roi nre f^r.

Item es briefs de p̄munire fait est assentuz & accordez q̄ ceux q̄s queux tielx briefs sont portez, & q̄ sont de p̄sent hors de Roialme & sont de bone fame & aient faitz lo' gehalx atto'nes devant lo' dep̄r, q̄ le Chauceller [Dengleterre] pur le temps estant, p ladvie des Justices purra ḡn̄ier q̄ mesmes les p̄ones purront apparoir & respondre & faire & rescivre ce q̄ la ley demande, p lo' gehalx atto'nes avantdiz eiaant come es autres cas & querelles; et ceux p̄ones q̄ decy enavant passeront p licence nre f^r le Roi & soient auxint de bone fame, q̄ a lo' requeste le dit Chauceller p ladvie des Justices lour purra ḡn̄ier defaire lo' gehalx atto'nes en la Chancellerie p patent du Roi devant lo' passer, [a respondre] s̄ibn es ditz briefs de p̄munire fait, come en auts querelles en quel cas toutes voies soit exp̄ssee mencion [faite] des briefs & querelles de p̄munire fait; et celle patente enai faite, purront des lors les ditz atto'nes en absence de lo' Meistres, respondre p eux & auts atto'nes desouz eux, devant quelconq̄ juge du Roialme & faire & rescivre el dit cas, siavant come en null autre cas nientcontesteant aucun estatut fait a contr̄ie avant ces heures.

Item sur la grevoue pleinte q̄est faite des meyn-teno's des querelles & chaump̄to's; est ordeignez & assentuz q̄ lestatutz ent faitz en les ans du regne le Roi Edward aiel nre f^r le Roi primer & quart, et auxint en lan de nre f^r le Roi qore est primer, soient tenus & gardez & duement executz en toutz pointz.

Item est assentuz & le Roi defende estreitement q̄ decy enavant nulle p̄none aliene ou denszein de quelconq̄ estat ou condicion q̄l soit amene ou envoie ou face amener ou envoier p v̄re ou p meer hors du Roialme Dengleterre as aucunes p̄mes Descote en prive ne en appt aucune maibe darmure de blee de brees ne dautre vitaille ou dautre refreshement queconq̄, sur peine de forfaiture de mesmes les vitailles armures & des autres choses avantdites ensemble avec les niefs vesseulx charettes & chivalx q̄ les portent ou amement, ou de la Proie value dicelles, si ensi ne soit q̄ le

Interlined on the Roll.

Force and Effect in all Points; and moreover it is assented, That if any Alien have purchased, or from henceforth shall purchase any Benefice of Holy Church, Dignity, or other Thing, and in his proper Person take Possession of the same, or occupy it himself within the Realm, whether it be to his own proper Use, or to the Use of another, without especial Licence of the King, he shall be comprised within the same Statute; and moreover shall incur all Pains and Forfeitures in all Points as is before ordained by another Statute made the Five and twentieth Year of the noble King Edward the Third, Grandfather to our Lord the King that now is, against them that purchase Provisions of Abbeyes or Priories; and to the Intent that such Licences shall not be from henceforth made, the King willeth and commandeth to all his Subjects and other, that they shall abstain them from henceforth to pray him for any such Licence to be given; and also the King himself will refrain to give any such Licence during the Wars, except to the Cardinal of Naples, or to some other special Person to whom the King is beholden for a special Cause.

ITEM, It is ordained and assented, and also the King doth prohibit, That from henceforth no Man shall ride in Harness within the Realm, contrary to the Form of the Statute of Northampton thereupon made, neither with Launcegay within the Realm, the which Launcegayes be clearly put out within the said Realm, as a Thing prohibited by our Lord the King, upon Pain of Forfeiture of the said Launcegayes, Armour, and other Harness, in whose Hands or Possession they be found that bear them within the Realm, contrary to the Statutes and Ordinances aforesaid, without the King's special Licence.

ITEM, In Writs of Præmunire facias, It is assented and agreed, That they against whom such Writs be sued, and who at this Time be out of the Realm, and be of good Fame, and have made their general Attornies before their departing, that the Chancellor of England for the Time being, by the Advice of the Justices, may grant, that the same Persons may appear to answer, to do, and to receive that Thing which the Law demandeth, by their general Attornies aforesaid, as well as in other Causes and Quarrels; and those Persons which from henceforth shall pass by the King's Licence, and be of good Fame, that at their Request the Chancellor, by the Advice of the Justices, may grant to them to make their general Attornies in the Chancery by the King's Patent, before their Passage, to answer as well in the said Writs of Præmunire facias, as in other Writs and Plaints; in which Case express Mention shall be made at all Times of the Writs and Plaints of Præmunire facias; and this Patent so made, the said Attornies from henceforth, in Absence of their Masters, may answer [for them, and make] other Attornies under them, before any Judge of the Realm, [to] do and receive in the said Case as much as in any other Case or Matter, notwithstanding any Statute made to the contrary heretofore.

ITEM, For the grievous Complaint that is made of Maintainers of Quarrels, and Champertors; It is ordained and assented, That the Statutes thereof made in the First and Fourth Years of King Edward, Grandfather to our Lord the King that now is, and also in the First Year of our Lord the King that now is, shall be holden and kept, and duly executed in all Points.

ITEM, It is assented, and the King straitly defendeth, That from henceforth no Person, Alien nor Denizen, of whatsoever Estate or Condition that he be, shall carry nor send, nor do to be carried nor sent, by Land nor by Sea, out of the Realm of England, to any Parts of Scotland, privily nor apertly, any Manner of Armour, Corn, Malt, or other Victuals, or any other refreshing, upon Pain of Forfeiture of the same Victuals, Armours, and other Things aforesaid, together with the Ships, Vessels, Carts, and Horses which shall bring or carry the same, or of the very Value of the same, except so it be

by themselves and

and

who shall also be liable to the Penalties of 15 Ed. III. ch. 5. c. 22.

The King's Licences to the contrary shall not be asked for.

XIII. No Man shall ride armed contrary to the Statute 5 Edw. III. chapter 5.

XIV. For enabling Parties out of the Realm to appoint Attornies in Writs of Præmunire.

XV. Statutes 1 Edw. III. stat. 1. c. 14; 4 E. III. c. 11; 1 Ric. II. c. 4; against Maintenance, &c. confirmed.

XVI. No Armour or Victual shall be sent into Scotland without Licence of the King; on Pain of Forfeiture thereof.

VI.
Proviso as to
Persons whose
Wives wear
Velvet, &c.
[See § I.]

AND be it pryed and enacted by au^tie aforesaid, that if the Wif of any pson *et* psons were any velvet in the lynnyng or other part of her gowne other then in the cufes or purfells of suche gowne, or ell^e were any velvet in her kyrtell or were any peticote of silke, that then the husbunde of *evy* suche Wiff shall fynde one stoned horse of the stature above in this acte resyted, or shall incurre the abovesaide penalte and forfeiture of tenne poundes to be levied and recovered as is afore declared: *Provyded* also that this Acte or any thing therein conteyned shall not extende to charge any pson or psons whose Wif or Wiffes shall were any of the apparell or thing^t above rehersed during the tyme such Wif or Wyffes shalbe devorsyd from her or ther husbunde or husbondes, or shall willingly absent her self from her said husbunde and duringe suche absence shall were any of the apparell or other thyng^t afore resyted: *Provyded* alwaies that heires wⁿ age being wardes whose landes teit^r and hereditament^r amount to the yerely value of CC li. shall not be compelled by au^tie of this acte till they cūme to ther full age to kepe any horses, althoughe the wiffes of suche heires wⁿ age were any gowne of Sylke or any Frenche hood or Bonet of Velvet w^t any habilyment past or egge of Gold Perle or Stone or any chayne of gold about ther nekk^t or in ther plent^t or in any apparell of ther bodie; Any thing in this Acte to the contrary notw^tstanding.

VII.
Proviso for
replacing Horses
killed in War, &c.

PROVYDED also that if all or any the horses kept by vertue of this acte shall happen to be kyllyd maymyd or lost in the fvice of the King^t warres, That then in *evy* suche case the owners of suche horse or horses so kyllyd maymyd pished or lost in the warres shall have lib^te, by the space of twoo yeres next after suche chaunce of kyllyng maymyng pishing or losing ther horses, to pvide other horses in the stede and place of the horses so kyllyd maymyd pished or lost in the Warres, w^tout any daunger losse or penalte of this acte; Any thing in this acte to the contrary therof notw^tstanding.

VIII.
Cart-Horses and
Sumpter-Horses.

PROVYDED also that cart horses or sumpter horses shall not be takyn reputed or reckned for any suche horses whiche any pson is or shalbe bounden to kepe by vertu of this acte.

CHAPTER VI.

AN ACTE concerninge Crosbowes and Handguns.

Recital of Stat.
15 H. VIII. c. 17.
against shooting
with Cross-bows
and Hand-guns:

Violation thereof,

Penalty on Persons,
having less than
£100. per Annum,
keeping or using
Cross-bows, &c.
£10.

II.
Length of
Hand-guns, &c.
to be kept.

Those of less
Length may be
seized and
destroyed by
Persons having
£100. a Year.

WHERE in the Parliamēt holden at Westm^r the fyfenthe daye of Januarie in the twenty fyve Yere of the Kinges most gracious Raigne, and there contynued and kepte untill the thirtieth daye of Marche then next ensuyng, amonge di^vse and sondrie holsome and lawdable Act^t Statut^t and ordynⁿce^t one Statute and Ordynⁿce was made and ordeyned for the avoydinge and eschewinge of shotinge in Crosbowes and Handguns; synce the makinge of whiche Acte di^vse malicious and evill disposed psons not only psumyng wilfullye and obstynatlye the violacōn and breach of the saide Acte, but also of their malicious and evill disposed myndes and purposes have wilfully and shamefully cōmytted pperated and done di^vse detestable and shamefull murthers felonies ryout^t and rout^t with Crosbowes little shorte handguns and little hagbutt^t, to the great pill and contynuall feare and daunger of the King^t most lovinge subject^t, and also di^vse Keepers of Forest^t Chases and Park^t aswell of our saide Sovereigne Lorde as other his Nobles and Cōmons and di^vse Gentlemen Yomen and Servingmen nowe of late have layde aparte the good and laudable ex^ccise of the longe bowe, whiche alwaye heretofore hathe bene the suertie savegarde and contynuall defence of this Realme of Englande, and an inestimable dread and terror to the Enemyes of the same, and nowe of late the saide evill disposed psons have used and yet doe daylie use to ryde and goe in the King^t highe Wayes and elsewhere, havinge with them Crosbowes and little handguns, ready furnished with Quarrell^t Gunpowder fyer & touche to the great pill and feare of the King^t most lovinge Subject^t: *FOR REFORMACōN* wherof be it enacted ordeyned and established by the Kinge our Sovereigne Lorde the Lordes spūall and temporall and the Cōmons in this p^sent Parliamēt assembled and by thautoritie of the same, in maner and fourme followinge That ys to saye; that noe pson or psons of what estate or degree he or they be, excepte he or they in their owne right or in the right of his or their Wyeff^t to his or their owne uses or any other to the use of any suche pson or psons, have landes teit^r fees annuyties or Offic^t to the yerely value of one hundred pound^t, from or after the laste daye of June next cōmyng, shall shote in any Crosbowe handgun hagbutt or demy hake, or use or kepe in his or their houses or elsewhere any Crosbowe handgun hagbutt or demy hake, otherwise or in any other manner then ys hereafter in this p^sent Acte declared, upon payne to forfeyt for everie tyme that he or they so offendinge contrie to this Acte tenne poundes.

AND furthermore be it enacted by thautoritie aforesaide that no pson or psons, of what estate or degree soever he or they be, from or after the saide laste daye of June shall shote in carye kepe use or have in his house or els where any handgune other then suche as shalbe in the stock and gonne of the lenghe of one hole Yarde, or any hagbutt or demyhake other then suche as shalbe in the stock and gune of the lenghe of thre quarters of one Yarde, upon payne to forfeyt for everie tyme that he or they shall carie use or have anye suche Gun being not of the lenghe of one whole Yarde or hagbutt or demyhake beinge not of the lenghe of thre quarters of a Yarde, Tenne pound^t sterlinge. And that it shalbe lauffull to everie pson and psons, w^t have landes teit^r fees annuyties or offic^t to the yerely value of one hundred pound^t as ys aforesaide, to seise and take everie suche Crosbowe, and also everie handgun beinge in stock and gune shorter in lenghe then one whole Yarde and everie hagbutt and demyhake beinge shorter in lenghe then thre quarters of a Yarde, or any of them; from the Keping or possession of everie suche Offendor contrie to the forme of this Acte, and the same Crosbowe or Crosbowes to kepe and reteyne to his or their owne

use, and also the same handguns hagbutt^e and demyhak^e so seised and taken within twenty dayes next after the same seisure or takinge to breake and distroye, upon payne of fourtye Shilling^e for everie Gune so seised and not broken and destroyed, and the same so broken and destroyed to kepe & reteyne to his or their owne use.

AND be it further enacted by thautoritie aforesaide, that noe pson or psons, other then suche as have land^e tenit^e rent^e fees annuities or Offic^e to the yerely value of one hundred Pound^e as ys aforesaide, from or after the saide laste daye of June, shall carrie or have, in his or their Jorney goinge or ridinge in the King^e highe waye or elsewhere, any Crosbowe bent or Gune charged or furnished wth Powder fier or touche for the same, Except it be in tyme and Service of Warre, upon payne to forfeit for everie suche Offence tenne pound^e; this p^{re}s^{ent} Acte or any thinge therein conteyned to the contr^{ar}ie notwithstandinge.

III.
Penalty upon
unqualified Persons
riding, &c. with
Guns charged, &c.

AND be it further enacted by thautoritie aforesaide, that no pson or psons from the saide laste daye of June shall in anywise shote in or wth anye handgune demyhake or hagbutt at any thinge at lardge, within any Cittie Boroughe or Markett Towne or within one quarter of a myle of anny Cittie Boroughe or Markett Towne, excepte it be at a Butt or Banck of earth in place convenient, or for the defence of his pson or house, upon payne to forfeite for everie suche Shott tenne poundes; this p^{re}s^{ent} Acte or anny thinge therein conteyned to the contrarie notwithstandinge.

IV.
None shall shoot at
large in Cities, &c.

AND be it further enacted by thautoritie aforesaide, that noe pson or psons of what estate or degre soever he or they be, shall from or after the saide laste daye of June comaunde any of his or their servaunt^e to shote in any Crosbowe handgune hagbutt or demyhake of his or their saide Masters or of any other psons, at any deare fowle or other thinge excepte it be only at a butt or bank of Earth or in the tyme of Warre as ys abovesaide, upon payne to forfeit for everie suche offence tenne pound^e: The one moytie of all wth forfeitures and penalties in this p^{re}s^{ent} Acte above specified shalbe to the Kinge our Sovereigne Lorde his heires and Successors, and thother moytie thereof to the partie that will sue for the same by bill playnt acc^on of Dehte or Informac^on in anny of the King^e Court^e of Recorde in whiche suyte noe Essoyne p^{re}tec^on nor Wager of lawe shalbe allowed.

V.
None shall order
their Servants to
shoot at Deer, &c.
with Hand-guns.

Application
of Penalties.

PROVIDED alwaye and be it enacted by thautoritie aforesaide, that it shalbe lafull from henceforthe to all Gentlemen Yeomen and Servingemen of everie Lorde or Lord^e s^{er}vuall or temporall and of all Knight^e Esquiers and Gentlemen, and to all the Inhabitaunt^e of Citties Boroughe and Markett Townes of this Realme of Englande, to shote wth any handgune Demyhake or hagbutt at any butt or bank of Earth onlye in place convenient for the same, so that everie suche handgune Demyhake or hagbutt be of the se^{ve}ll lenghes aforesaide and not under; and that it shalbe lafull to everie of the saide Lorde and Lord^e Knight^e Esquiers and Gentlemen, and the Inhabitaunt^e of everie Cittie Boroughe and Markett Towne, to have and kepe in everie of their houses any suche handgune or handgunes of the lenghe of one whole Yarde, or any hagbutt or Demyhake of the lenghe of thre quarters of a Yarde as ys aforesaide and not under, to thintent to use and shote in the same at a butt or banke of Earthe onlye, as ys abovesaid, wherbye they and everie of them by the^{re}cise thereof in forme abovesaid may the better ayde and assist to the defence of this Realme when nede shall requyre; this p^{re}s^{ent} Acte or any thinge therein conteyned to the contr^{ar}ie notwithstandinge.

VI.
Shooting at Butts
with Hand-guns
allowed.

AND be it further enacted by thautoritie aforesaide, that it shalbe lafull to everie pson and psons whiche dwellett and inhabith in anye house standinge and being sett distant twoo furlong^e from any Cittie Boroughe or Towne, to kepe and have in his saide house for the onelye defence of the same handgunes hagbutt^e and demyhakes beinge of the severall lenghes aforesaide and not under, & to use and ex^{er}cise to shote in the same at any butt or bancke of earthe nere to his house and not otherwise; Any thinge conteyned in this Acte to the contr^{ar}ie notwithstandinge.

VII.
Hand-gun allowed
out of Cities for
Defence of Houses,
&c.

AND furthermore the King^e most lovinge Subject^e the Lordes s^{er}vuall and temporall and the Cōmons in this p^{re}s^{ent} Parliament assembled, most humblye doe beseeche the King^e Majestie that it be further enacted by thautoritie aforesaide, that all tres patent^e Fraternities, and also all other placard^e lycences and bill^e assigned heretofore had made or signed by his Highnes or by any other authorised by his Highnes t^{re}s patent^e under his Great Seale to give licence and placarde to shote in Crosbowes & handgunes or any of them, shalbe from and after the saide laste daye of June frustrate voyde and of none effecte.

VIII.
Patents, &c. to
shoot in Crosbowes,
&c. declared void.
[But see § XIV.]

AND also that it may be further enacted by thautoritie aforesaide that the saide Statute made in the saide xxvth Yere of the King^e most gracious Raigne, and all other Statut^e heretofore made and p^{ro}vided for thavoydinge and restreynt in shotinge of Crosbowes and handgunes or for any of them, or for the usinge and kepinge of the same, be from henceforth uterlie voyde and of none effecte: Provided alwayes that everie p^{re}s^{ent} suyte or Informac^on conceived cōmenced and nowe dependinge for any Offence done contr^{ar}ie to the forme of the saide Statute made in the said xxvth Yere of the King^e moste noble Raigne, or of any other Statute made (') p^{ro}vyded for and concerninge the shotinge in Crosbowes and handgunes, not repealed, and for the kepinge of the same, shalbe as good and effectuell to the parties that have comenced the (') and shall stande and be in suche forme effecte and condi^{ti}oⁿ as if this Acte had never bene made.

IX.
25 H.VIII. c. 17,
&c. repealed;

Except as in Suits
depending.

PROVIDED also that this Acte or any thinge therein conteyned be not in any wise hurtfull or p^{re}judiciall to any pson or psons nowe beinge or that hereafter shalbe ap^{ro}vynted by the King^e Highnes, to kepe receyve or take any Crosbowes or Handgunes that shalbe forfeited or taken within the p^{re}cin^{te} or lib^{er}tye of the King^e forrest^e park^e or chaces, but that he or they may lafully kepe and reteyne the same Crosbowes or Handgunes from tyme to tyme untill suche tyme

X.
Proviso for Persons
keeping Crosbowes,
&c. seized in
Forests;

for Makers
of Crosbows, &c.

as the further pleasure of the King^e Highnes in that behalf be to evy suche pson shewed & declared: Provided also that this Acte extende not to the makers of Crosbowes or Handguns, but that they may lafully kepe Crosbowes and Handguns Hagbutt^e and Demyhakes in their houses, and shott in the same onlye for provinge & assayings of them at a butt or bank of earthe in the place convenient and not otherwise, so that the saide Handguns Hagbutt^e & Demyhak^e be of the sevall lengthes in Stock and Gune as ys above lymitted: Provided also that this Acte nor any thinge therein conteyned extende not to be pjudiciall to any Marchaunt^e whiche have or shall have any Crosbowes Handguns Hagbutt^e and Demyhak^e or any of them to sell within this Realme and to none other use, so that the same Handguns Hagbutt^e and Demyhak^e be of the sevall lengthes in Gune and Stocke as ys above lymitted and not under.

XI.
Proclamation of
the Act in each
County.

PROVIDED also that noe manner of parson rune in any daunger or take hurte by reason of any penaltye or forfeiture conteyned in this Acte untill suche tyme as pclamacon be made of the same Acte, within the Countye where the partie that shall or maye offende contrie to this Acte dwelleth, by the space of twentye dayes nexte after the makinge of the saide pclamacon.

XII.
Housekeepers not
liable to Penalty
for their Lodgers
keeping Crosbows,
&c.

PROVIDED also that yf any manner of pson bringe or cause to be brought wite him into his lodginge or in or to any other mans house any Crosbowe or Handgune, that then the penaltye and forfeiture, yf any suche be or hereafter shalbe forfeited by reason of this Acte, to rune and be onely upon the bringer of the saide Crosbowe and Handgune and not to the owner of the same lodginge or house, yf the saide [howner^e] of the said lodging or house cause thes aide bringer thereof to take & carrie awaye the saide Crosbowe or Handgune agayne wite him at his departinge; any thinge in this Acte made to the contrie notwithstandinge.

XIII.
Offenders may be
arrested by any
Persons.

AND be it also enacted by thautorie of this p^sent parliament that if any pson or psons, from or after the laste daye of June next comynge, see or fynde any pson or psons offendinge or doinge contrie to the forme and effecte of this Acte, that then it shalbe lafull to everie suche pson or psons pceyvinge fyndinge or seinge anye suche pson or psons so offendinge contrie to the fourme of this acte, to arrest and attache evy suche offender or offenders and to bringe or convey the same to the next Justice of Peace of the same Countye where the said offender or offenders shalbe founde soe offendinge; And that the same Justice of Peace upon a due exiacon and proeff thereof before him had or made by his discrecon shall have full power and authoritie to sende or comytt the same offender or offenders to the next Gaole, there to remayne till suche tyme as the saide penaltye or forfeiture shalbe trulye contented and paide by the saide offender; the one moytie of the same penaltye to be paide to the King^e Highnes and thother moytie thereof to the first bringer or conveyer of the saide offender to the same Justice of Peace.

XIV.
Licences, if given,
(See b VIII.)
shall specify at
what beasts, &c.
the Party licensed
may shoot, and he
shall give Security
to obey such
Regulations.

AND be it further enacted by thautorie aforesaide, that yf any pson or psons doe at any tyme hereafter obteyne gett or purchase, of the King^e Majestie his heires or successors, any placarde licence or bill assigned to shote in any Crosbowe Handgun Hagbutt or Demyhake contrie to the tenor purporte and effecte of this p^sent acte, that then there shalbe conteyned in everie suche placarde licence and bill assigned, at what beast^e fowles or other thinges the saide pson or psons so obteyninge any suche placarde licence or bill assigned shall shote, wite any Crosbowe Handgune Hagbutt or Demyhake, or els that everie suche placarde licence and bill assigned hereafter to be obteyned gotten or purchased shalbe clerely voyde frustrate and of none effecte: And also that everie suche pson or psons so obteyninge any suche placarde licence or bill assigned, before they shote in any suche Crosbowe Handgun Hagbutt or Demyhake, in any suche manner or forme as shalbe mencioned in any suche placarde licence or bill assigned, shalbe bounden in the King^e Courte of Chauncerie by recognizaunce in the some of twenty pound^e to the King^e use wite and upon condicon that he so obteyninge or havinge the saide licence placarde or bill assigned, shall not shote in any Crosbowe Handgune Hagbutt or Demyhake at any other beast^e or fowles then in any suche placarde licence or bill assigned shalbe conteyned and specified, and els all suche placardes licenc^e and bill^e assigned so hereafter to be made to any pson or psons not beinge so bounden by recognizaunce in the Courte of Chauncerie as is aforesaide, to be utterlie void and of none effecte.

XV.
Recovery and
Application of
Penalties.

AND be it further enacted by thautorie aforesaide, that it shalbe lafull to all Justic^e of Peace in their sessions and to all Stewardes and Baylieff^e in their sevall leet^e and lawe dayes to enquire heare and determyne evy suche offence after the saide laste daye of June to be comytted and done contrie to the tenor of this p^sent Acte; So that alwayes noe lesse fyne then tenne poundes be assessed upon everie suche p^sentment and conviccon made accordinge to the due course of the lawe; the same fyne so by the same Justic^e of Peace upon everie suche p^sentment and conviccon made before them in their Sessions, to be payde and leyed onely to the King^e use; and the one moytie of everie fyne to be assessed by the Steward^e or Baylyff^e of any leete or lawe daye, upon everie p^sentment and conviccon before them, to be payde and leyed to the use of the Kinge our Sovereigne Lorde, and (*) the other moytie the one halfe to the owner of the saide leete or lawe daye by distresse or acccon of debte, and thother halfe of the same seconde moytie of the same fyne, to be to the partie that will pursue for the same in any of the King^e Court^e by bill playnte informacon or acccon of debte, in the whiche none Essoyne pteccon nor wager of lawe shalbe allowed.

XVI.
Penalty on Jurors
charged to enquire
into Offences, who
shall conceal the
same, 20s.

AND be it further enacted, that yf any Jurie beinge sworne and charged to enquire for the Kinge our Sovaigne Lorde before anye Justic^e of the Peace or Steward^e of leet^e or lawdayes, of any offence comytted or done contrie to this p^sent Acte, doe wilfullie conceale any of the same offence, that then the saide Justic^e Steward^e or Baylyff^e before whom any concealment shalbe had and done, shall have auctoritie by vertue of this p^sent Acte from tyme to tyme to chardge and sweare an other Jurie of twelve or mo good and substantiall honest psons to enquire of everie suche concealment, and if any suche concealment be founde and presented by the saide Jurie so chardged to enquire of the same, that

then everie one of the saide fyrste Jurie that so did conceale the same, shall leese and forfeit for everie suche concelement of evy suche offence twenty shilling^e; All whiche forfeitures and penalties of twenty shilling^e for everie such concealment of everie suche offence so found and p^resented before the same Justic^e of Peace shall holye be levied and payde to the King^e use, and the moytie of all the same forfeitures and penalties of twenty shilling^e, so founde and p^resented before the Steward^e or Bayliff^e of any leete or lawdaye, shalbe levied and payde to the use of the owner of the saide leete or lawdaye by distresse or acc^on of debte, and thother moytie thereof to be to the partie or parties that will sue for the same by acc^on informac^on bill or playnte in any of the King^e Court^e, in the whiche acc^ons informac^ons bill^e or playnt^e no wager of lawe essoyn^e nor p^rec^on shalbe allowed.

PROVIDED alwaies and be it enacted by thautoricie aforesaide, that yf any pson or psons hereafter in any parte do offende or do contr^rie to the purwe and remedy of this Acte, whereupon cause of Acc^on for the same offence shalbe geven to the Kinge his heires or successors or to any other pson or psons that will sue by vertue of this Acte for the punyishment of the saide offence or forfeitures, that yf the Kinge our Sovereigne Lorde his heires or successors within one yere next and ymediatlye after suche offence^e and forfeitures had and made do not pursue their acc^on or acc^ons so given by this Acte or cause ex^aia^on upon suche default^e and offence^e to be had and made before their counsaile, or other p^resentment^e thereof to be had accordinge to the meanyng of the same Acte, and everie other pson whiche hereafter by vertue of this Acte maye have acc^on or acc^ons suyte or informac^on upon this Statute within halfe a yere next and ymediatlye after suche offence^e or forfeitures had and made do not comence their suyt^e informac^on acc^ons or p^resentment^e of and upon the said forfeyt^e by acc^on or otherwise as in this p^resent Acte ys lymited and declared, that then aswell the Kinge our Sovereigne Lorde his heires and successors, after one yere next after suche offence^e and forfeyt^e had and made yf no suyte in his or their name be taken by acc^on or otherwise as ys before exp^ressed before the same yere ended & del^rmynded, as everie other pson after halfe yere next after like Offence^e had and done in the fourme aforesaide yf noe suyte thereupon be taken by none of them in fourme above declared, be utterly excluded and debarred of their saide suyt^e acc^ons Informac^ons and ex^aia^ons to them gyven by vertue of the saide Acte, and the parties and evy of them so offendinge shalbe of all suche Offence^e and forfeyt^e clerely discharged and quytt; Any thinge in this Acte comprised to the contr^rie notwithstandinge.

XVII.
Limitation of
Prosecutions;
One Year to the
King, and Half a
Year to others.

PROVIDED alwaies and be it enacted by thautoricie aforesaide that this p^resent Acte ne any thinge therein conteyned shall in anywise extende or be p^rjudiciall unto the King^e Subject^e resident or inhabitinge nere unto the Coast^e of the Sea in any parte of this Realme, their houses beinge not above fyve myles distant from the same Coast^e, nor also to any of the saide Subject^e inhabitinge within twelve myles of the borders of Scotlande, nor to any the King^e Subject^e Inhabitaunt^e of the Towne and Marches of Callice, nor to any of the Inhabitaunt^e of the Isles of Jersey Gernesey Anglesey and the Isles of Weight and Man, but that it shalbe lafull for everie of the saide Inhabitaunt^e at all tymes hereafter to have excise and use their handguns hagbutt^e and demyhakes of the lengthes abovesaide within the lymytt^e and Isles abovesaide, so that it be at noe manner of Dere heron Shoveler fesant partriche Wild Swanne or Wilde Elke or any of them; this p^resent Acte or any thinge therein conteyned to the contr^rie notwithstandinge.

XVIII.
Proviso for
Inhabitants near
the Sea Coaste,
Scotland, Calais,
Jersey, &c.

PROVIDED also that this Acte ne any thinge therein conteyned be in anywise hurtfull or p^rjudiciall to any S^rvⁿte or pson that hereafter, from the saide laste daye of June, shall bend beare carrie charge use or assaye anye Crosbowe or any handgun demyhake or hagbutt of the lengthes abovesaide, by the cōmaundment of his Lorde [and] Master so that the saide S^rvⁿte or pson doe not shote at any fowle Dere or other Game of what Kynd or nature soever they be; nor also to any suche S^rvⁿte pson or psons that shall after the saide laste daye of June beare or convey any Crosbowe handgun hagbutt or Demyhake of the lengthes aforesaide to any place or places, by the comaundment of his lorde or master that maye shote by auctoritie of this Acte, to be amended repayred delyvered or assayed; so that the saide Servaunte or other pson so bringinge or conveyinge the saide Crosbowe handgun hagbutt or demyhake have redye to shewe to evy pson requiring the sight thereof one licence in Writinge sealed or subscribed by his saide Lorde or Master to carrie and convey the same Crosbowe handgun hagbutt or demyhake to thintent to be amended repayred assayed or delivered as ys aforesaide.

XIX.
Proviso for
Servants under
Orders of their
Masters.

PROVIDED alwaies that this Acte or any thinge conteyned therein shall not extende to any Owner of any Shippe, for having or kepinge of any handgun hagbutt or demyhake of the sevall lengthes in this Acte exp^ressed or under, only to be had and occupied within their Shippe or other Vessel, or for the carriage and recarriage of them or any of them on lande, or kepinge of them for the onely excise and occupyinge of them within their saide Shippe or Vessel; Any thinge in this Acte to the contr^rie in any wise notwithstandinge.

XX.
Proviso for
Owners of Ships,
&c.

GRANTS, CONCESSIONS,
AND
ORIGINAL CONSTITUTIONS
OF THE PROVINCE OF
NEW JERSEY
THE
A C T S

Passed during the Proprietary Governments, and other
material Transactions before the Surrender
thereof to Queen Anne.

The Instrument of Surrender, and her formal Accept-
ance thereof

Lord CORNBURY'S COMMISSION and Instructions Conse-
quent thereon.

Collected by some Gentlemen employed by the General Assembly.
And afterwards

Published by virtue of an Act of the Legislature of the said Province
With proper Tables alphabetically Digested, containing the prin-
cipal Matters in the Book.

New Jersey (Colony)
By AARON LEAMING and JACOB SPICER.

Laws passed in 1686. 289

ny persons as they shall think fit, not exceeding seven, to make orders from time to time, such as may be suitable and beneficial for every town, village, hamlet, or neighbourhood, for preventing all harms by swine, in town, meadows, pastures and gardens, in any respect, and to impose penalties according to their best discretions.

Chap. VIII.

An Act appointing some new Commissioners of the Highways.

WHEREAS there was an act made in the year 1682, for the county of Monmouth, to enable Col. Lewis Morris, John Bound, and Joseph Parker, to lay out highways, passages, ferry's, and making bridges and such like; there being three of those persons disenabled for the true performance of the said services, *be it therefore enacted* by the Governor, Council and Deputies now met and assembled, and by the authority of the same, that John Frogmerton, John Slocame, and Nicholas Brown, in the stead and room of Col. Lewis Morris, John Bound, and Joseph Parker, be made capable and hereby invested with the same power to all intents and purposes in the said premises, as the aforesaid Col. Lewis Morris, John Bound, and Joseph Parker, were by the said acts.

Chap. IX.

An Act against wearing Swords, &c.

WHEREAS there hath been great complaint by the inhabitants of this Province, that several persons wearing swords, daggers, pistols, dirks, stilladoes, skeines, or any other unusual or unlawful weapons, by reason of which several persons in this Province, receive great abuses, and put in great fear and quarrels, and challenges made, to the great abuse of the inhabitants of this Province. *Be it therefore enacted* by the Governor, and Council, and Deputies now met in General Assembly, and by authority of the same, that no person or persons within this Province, presume to send any challenge in writing, by word of mouth,

or message, to any person to fight, upon pain of being imprisoned during the space of six months, without bail or mainprize, and forfeit ten pounds; and whosoever shall except of such challenge, and not discover the same to the Governor, or some publick officer of the peace, shall forfeit the sum of ten pounds; the one moiety of the said forfeiture to be paid unto the Treasurer for the time being, for the public use of the Province, and the other moiety to such person or persons as shall discover the same, and make proof thereof in any court of record within this Province, to be recovered by the usual action of debt, in any of the said courts. *And be it further enacted* by the authority aforesaid, that no person or persons after publication hereof, shall presume privately to wear any pocket pistol, skeines, stilladers, daggers or dirks, or other unusual or unlawful weapons within this Province, upon penalty for the first offence five pounds, and to be committed by any justice of the peace, his warrant before whom proof thereof shall be made, who is hereby authorized to enquire of and proceed in the same, and keep in custody till he hath paid the said five pounds, one half to the public treasury for the use of this Province, and the other half to the informer: And if such person shall again offend against this law, he shall be in like manner committed (upon proof thereof before any justice of the peace) to the common gaol, there to remain till the next sessions, and upon conviction thereof by verdict of twelve men, shall receive judgment to be in prison six month, and pay ten pounds for the use aforesaid. *And be it further enacted* by the authority aforesaid, that no planter shall ride or go armed with sword, pistol, or dagger, upon the penalty of five pounds, to be levied as aforesaid, excepting all officers, civil and military, and soldiers while in actual service, as also all strangers, travelling upon their lawful occasions thro' this Province, behaving themselves peaceably.

ACTS

PASSED AT THE SESSION BEGUN AND HELD AT BOSTON,
ON THE THIRTIETH DAY OF MAY, A. D. 1750.

CHAPTER 1.

AN ACT FOR IMPOWERING THE PROVINCE TREASURER TO BORROW
THE SUM OF FIVE THOUSAND POUNDS, FOR APPLYING THE SAME TO
DISCHARGE THE DEBTS OF THE PROVINCE AND DEFREY THE
CHARGES OF GOVERNMENT, AND FOR MAKING PROVISION FOR THE
REPAYMENT OF THE SUM SO BORROWED.

*Be it enacted by the Lieutenant-Governour, Council and House of Rep-
resentatives,*

[SECT. 1.] That the treasurer of this province be and hereby is
impowered to borrow from such person or persons as shall appear ready
to lend the same, a sum not exceeding five thousand pounds in Spanish
mill'd dollars; and the sum so borrowed shall be a stock in the treas-
ury, to be applied for defreying the charges of this government in
manner as in this act is after directed, and for every sum so borrowed,
the treasurer shall give a receipt of the form following; viz.,—

Treasurer em-
powered to bor-
row £5,000 for
the province.

Province of the Massachusetts Bay, day of 17 , received
from the sum of pounds, for the use and service of
the Province of the Massachusetts Bay; and in behalf of said Province, I do
hereby promise and oblige myself and my successors in the office of treasurer,
to repay the said , his heirs or assigns, on or before the tenth
day of June, one thousand seven hundred and fifty-two, the aforesaid sum of
pounds, with interest for the same, at and after the rate of six
per cent per annum. Witness my hand, , Treasurer.

Form of his re-
ceipt for said
money.

—and no receipt shall be given for any sum less than fifty pounds; and
the treasurer is hereby directed to use his discretion in borrowing said
sum at such times as that he may be enabled to comply with the draughts
that may be made on the treasury in pursuance of this act.

And be it further enacted,

[SECT. 2.] That the aforesaid sum of five thousand pounds shall be
issued out of the treasury in manner and for the purposes following;
viz., the sum of seventeen hundred and fifty pounds, part of the afore-
said sum of five thousand pounds, shall be applied for the service of the
several forts and garrisons within this province, pursuant to such orders
and grants as are or shall be made by this court for those purposes;
and the further sum of one thousand pounds, part of the aforesaid sum of
five thousand pounds, shall be applied for the purchasing provisions
and the commissary's necessary disbursements for the service of the
several forts and garrisons within this province, pursuant to such grants

£1,750 appro-
priated for forts
and garrisons.

£1,000 for com-
missary's stores.

And whereas there are sometimes contingent and unforeseen charges that demand prompt payment,—

Be it further enacted,

£100 for contingent charges.

[SECT. 16.] That the sum of one hundred pounds, being the remaining part of the aforesaid sum of seven thousand eight hundred and sixty pounds, be applied to pay such contingent charges, and for no other purpose whatsoever.

Provided always,—

Remainder to be and remain as a stock in the treasury.

[SECT. 17.] That the remainder of the sum which shall be brought into the treasury by the tax aforesaid, over and above what shall be sufficient to pay off the benefit tickets as aforesaid, shall be and remain as a stock in the treasury, to be applied as the general court of this province shall hereafter order, and to no other purpose whatsoever; any thing in this act to the contrary notwithstanding.

And be it further enacted,

Money to be paid out of the proper appropriations.

[SECT. 18.] That the treasurer is hereby directed and ordered to pay the sum of eight thousand and ten pounds, as aforesaid, out of such appropriations as shall be directed to by warrant, and no other, upon pain of refunding all such sum or sums as he shall otherwise pay; and the secretary to whom it belongs to keep the muster-rolls and accompts of charge, shall lay before the house of representatives, when they direct, such muster-rolls and accompts after payment thereof.

And be it further enacted,

Directors' allowance to be made by the general court.

[SECT. 19.] That the directors or managers by this act appointed, shall have such allowances for their services as the general court shall hereafter order, and in case of the death, refusal or incapacity of attendance of any one or more of said managers, the vacancy shall be fill'd up by the governor and council. [*Passed February 8; published February 16, 1750-51.*]

CHAPTER 16.

AN ACT FOR GRANTING THE SUM OF THREE HUNDRED POUNDS, FOR THE SUPPORT OF HIS HONOUR THE LIEUTENANT-GOVERNOUR AND COMMANDER-IN-CHIEF.

Be it enacted by the Lieutenant-Governour, Council and House of Representatives,

Governor's grant.

That the sum of three hundred pounds be and hereby is granted unto his most excellent majesty, to be paid out of the publick treasury to his honour Spencer Phips, Esq^[d], lieutenant-governour and commander-in-chief in and over his majesty's province of the Massachusetts Bay, for his past services, and further to enable him to manage the publick affairs of the province. [*Passed February 15; * published February 16, 1750-51.*]

CHAPTER 17.

AN ACT FOR PREVENTING AND SUPPRESSING OF RIOTS, ROUTS AND UNLAWFUL ASSEMBLIES.

Preamble.

WHEREAS the provision already made by law has been found insufficient to prevent routs, riots and tumultuous assemblies, and the evil consequences thereof; wherefore,—

* See the note to this chapter, *post*.

Be it enacted by the Lieutenant-Governour, Council and House of Representatives,

[SECT. 1.] That from and after the publication of this act, if any persons, to the number of twelve or more, being arm'd with clubs or other weapons, or if any number of persons, consisting of fifty or upwards, whether armed or not, shall be unlawfully, riotously or tumultuously assembled, any justice of the peace, field officer or captain of the militia, sheriff of the county or undersheriff, or any constable of the town, shall, among the rioters, or as near to them as he can safely come, command silence while proclamation is making, and shall openly make proclamation in these or the like words:—

Officers to make proclamation when persons are riotously assembled.

Our sovereign lord the king chargeth and commandeth all persons being assembled, immediately to disperse themselves, and peaceably to depart to their habitations, or to their lawful business; upon the pains contained in the act of this province made in the twenty-fourth year of his majesty King George the Second, for preventing and suppressing of riots, routs and unlawful assemblies. God save the king.

Form of the proclamation.

And if such persons so unlawfully assembled, shall, after proclamation made, not disperse themselves within one hour, it shall be lawful for every such officer or officers, and for such other persons as he or they shall command to be assisting, to seize such persons, and carry them before a justice of the peace; and if such person shall be killed or hurt by reason of their resisting the persons so dispersing or seizing them, the said officer or officers and their assistants shall be indemnified and held guiltless.

[SECT. 2.] And all persons who, for the space of one hour after proclamation made as aforesaid,—or to whom proclamation ought to have been made, if the same had not been hindred,—shall unlawfully, riotously, riotously and tumultuously continue together, or shall wilfully let or hinder any such officer, who shall be known, or shall openly declare himself to be such, from making the said proclamation, shall forfeit all their lands and tenements, goods and chattles, to his majesty (or such a part thereof as shall be adjudged by the justices before whom such offence shall be tried), to be applied towards the support of the government of this province; and shall be whipt thirty-nine stripes on the naked back at the publick whipping-post, and suffer one year's imprisonment, and once every three months during said imprisonment receive the same number of stripes on the naked back at the publick whipping-post as aforesaid.

Penalty for disobedience.

[SECT. 3.] And if any such person or persons, so riotously assembled, shall demolish or pull down, or begin to demolish or pull down, any dwelling-house or other house parcel thereof, any house built for publick uses, any barn, mill, malt-house, store-house, shop or ship, he or they shall suffer the same pains and penalties as are before provided in this act.

And be it further enacted,

[SECT. 4.] That this act shall be read at every general sessions of the peace, and at the anniversary meeting of each town, within this province, annually; and no person shall be prosecuted for any offence contrary to this act, unless prosecution be commenced within twelve months after the offence committed.

This act to be read at the anniversary meeting of the towns and general sessions of the peace.

Provided always,—

[SECT. 5.] That where there shall appear any circumstances to mitigate or alleviate any of the offences against this act, in the judgment of the court before which such offence shall be tried, it shall and may be lawful for the judges of such court to abate the whole of the pun-

Judges empowered to abate the punishment of whipping, in case. *

ishment of whipping, or such part thereof as they shall judge proper ; anything in this act to the contrary notwithstanding.

Continuance of the act. [SECT. 6.] This act to continue and be in force for the space of three years from the publication thereof, and no longer. [*Passed and published February 14, 1750-51.*]

CHAPTER 18.

AN ACT IN ADDITION TO AN ACT, INTITLED "AN ACT TO PREVENT DAMAGE BEING DONE ON THE BEACH, HUMOCKS AND MEADOWS BELONGING TO THE TOWN OF SCITUATE, LYING BETWEEN THE SOUTHERLY END OF THE 'THIRD CLIFT,' SO CALLED, AND THE MOUTH OF THE NORTH RIVER."

Preamble.

1749-50, chap. 14.

WHEREAS in and by an act made and passed in the twenty-third year of his present majesty's reign, intituled "An Act to prevent damage being done on the beach, humocks and meadows belonging to the town of Scituate, lying between the southerly end of the 'Third Clift,' so called, and the mouth of the North River," the penalt[y][ie]s for turning or driving neat cattle, horse-kind, sheep or goats upon such beach, humocks or sedge-ground adjo[y][i]ning to said beach, to feed thereon, are to be recovered from him or them that shall so drive said cattle, horse-kind, sheep or goats, or from the owner or owners of them that shall so order them to be driven ; and it is found, by experience, that proof thereof can seldom be obtained, whereby the good end and design of said act in a great measure is defeated,—

Be it therefore enacted by the Lieutenant-Governour, Council and House of Representatives,

Neat cattle and other creatures to be impounded if found feeding on the meadows, &c.

[SECT. 1.] That if any neat cattle, horse-kind, sheep or goats shall be found feeding on said beach, humocks, meadows or sedge-ground adjoyning to said beach, it shall and may be lawful for any person to impound the same, such person to observe the rules and directions in the said act prescribed in case of impounding ; and the owner or owners of them shall forfeit and pay to the impounder one shilling a head for all neat cattle and horse-kind, and twopence for every sheep or goat ; and the said penalt[y][ie]s or forfeitures shall be paid, before the creatures, which shall or may be impounded by virtue of this act, be discharged or released by the pound-keeper.

Provided, nevertheless,—

Rates to be paid for such impounded creatures.

[SECT. 2.] The owner or owners of the creatures so impounded may, if they think fit, replevie such creatures, on condition they give sufficient bond, with one or more suret[y][ie]s, to prosecute such replevin to effect before some justice of the peace in the same county, within fifteen days from the date of such replevin, and to pay all such forfeitures and costs as shall be awarded or adjudged against them. [*Passed February 8 ; published February 16, 1750-51.*]

CHAPTER 19.

AN ACT FOR GRANTING UNTO BENJAMIN CRABB THE SOLE PRIVILEGE OF MAKING CANDLES OF COARSE SPERMACEI OYL.

Preamble.

WHEREAS Benjamin Crabb, of Rehoboth, in the county of Bristol, has represented to this court that he, and no other person in the prov-

At a GENERAL ASSEMBLY held at

Burlington from the Twentieth Day of November to the Twenty-first Day of December 1771, in the Twelfth Year of the Reign of King George the Third, the following Laws were passed.

SESSION THE FOURTH.

C H A P. DXXXIX.

*An ACT to continue and amend an Act, entitled, An Act for better settling and regulating the Militia of this Colony of New-Jersey; for the repelling Invasions, and suppressing Insurrections and Rebellions.**

Passed Dec. 21, 1771.

WHEREAS the Act passed in the Nineteenth Year of the Reign of our late Sovereign Lord King George the Second, entitled, *An Act for better settling and regulating the Militia of this Colony of New-Jersey; for the repelling Invasions, and suppressing Insurrections and Rebellions*, will expire at the End of this Session of Assembly; Preamble.

Sect. 1. BE IT ENACTED by the Governor, Council and General Assembly, and it is hereby Enacted by the Authority of the same, That the said Act, entitled, An Act for better settling and regulating the Militia of this Colony of New-Jersey; for the repelling Invasions, and suppressing Insurrections and Rebellions, shall be, and hereby is continued, and every Article and Clause therein contained shall be and remain in full Force, from the Publication hereof, to the first Day of May which will be in the Year of our Lord One Thousand Seven Hundred and Seventy-seven, and from thence to the End of the next Session of the General Assembly of this Colony, and no longer.* Limitation.

2. AND WHEREAS it has been a Custom of late, in some of the Counties of this Colony, to choose the Militia Officers Constables; for preventing the same for the Future, BE IT ENACTED *by the Authority aforesaid*, That, during the Continuance of this Act, it shall not be lawful for any Court of General Quarter-Sessions of the Peace, or for any of the Inhabitants of this Colony, at their annual Town-meetings, to appoint or choose any commissioned Officer, while in Commission, to be a Constable; any Law, Usage or Custom to the contrary notwithstanding.

Commissioned Officers not to be chosen Constables.

C H A P. DXL.

An ACT for the Preservation of Deer and other Game, and to prevent trespassing with Guns.

Passed Dec. 21, 1771.

WHEREAS the Laws heretofore passed in this Colony for the Preservation of Deer and other Game, and to prevent trespassing Preamble.

* Chap. CC.

ing with Guns, Traps and Dogs, have, by Experience, been found insufficient to answer the salutary Purposes thereby intended ; Therefore,

No Person to
carry a Gun
on Lands not
his own, ex-
cept, &c.

Señt. 1. BE IT ENACTED by the Governor, Council and General Assembly of this Colony of New-Jersey, and it is hereby Enacted by the Authority of the same, That if any Person or Persons shall presume, at any Time after the Publication hereof, to carry any Gun on any Lands not his own, and for which the Owner pays Taxes, or is in his lawful Possession, unless he hath License or Permission in Writing from the Owner or Owners or legal Possessor, every such Person so offending, and convicted thereof, either upon the View of any Justice of the Peace within this Colony, or by the Oath or Affirmation of one or more Witnesses, before any Justice of the Peace of either of the Counties, Cities or Towns-corporate of this Colony, in which the Offender or Offenders may be taken or reside, he, she or they, shall, for every such Offence, forfeit and pay to the Owner of the Soil, or his Tenant in Possession, the Sum of Forty Shillings, with Costs of Suit ; which Forfeiture shall and may be sued for and recovered by the Owner of the Soil, or Tenant in Possession, before any Justice of the Peace in this Colony, for the Use of such Owner or Tenant in Possession.

Penalty.

No Person to
drive Deer or
other Game,
except, &c.

2. AND BE IT ENACTED by the Authority aforesaid, That if any Person shall presume, at any Time after the Publication of this Act, to hunt or watch for Deer with a Gun, or set in any Dog or Dogs to drive Deer, or any other Game, on any Lands not his own, and for which the Owner or Possessor pays Taxes, or is in his lawful Possession, unless he hath License or Permission in Writing from such Owner or Owners or legal Possessor ; every such Person so offending, and being convicted thereof in Manner aforesaid, shall, for every such Offence, forfeit and pay to the Owner of the Soil, or Tenant in Possession, the Sum of Forty Shillings, with Costs of Suit ; provided, that nothing herein contained shall be construed to extend to prevent any Person carrying a Gun upon the King's Highway in this Colony.

Penalty.

Penalty on
Non-Resi-
dents.

3. AND BE IT FURTHER ENACTED by the Authority aforesaid, That if the Person or Persons offending against this Act be Non-Residents of this Colony, he or they shall forfeit and pay for every such Offence Five Pounds, and shall forfeit his or their Gun or Guns to any Person or Persons who shall inform and prosecute the same to Effect, before any Justice of the Peace in any County of this Colony, wherein the Offender or Offenders may be taken or apprehended.

Penalty for
killing, &c.
Deer out of
Season.

4. AND BE IT ENACTED by the Authority aforesaid, That if any Person or Persons shall kill, destroy, hunt or take any Doe, Buck, Fawn, or any Sort of Deer whatsoever, at any other Time or Season, except only between the first Day of September and the first Day of January yearly and every Year, he, she or they so offending, shall forfeit and pay the Sum of Forty Shillings for each and every Offence ; to be sued for, recovered and applied as hereafter is directed.

What shall
be Evidence
of such Kill-
ing, &c.

5. AND, for the better and more effectual convicting of Offenders against this Act, BE IT ENACTED by the Authority aforesaid, That any and every Person or Persons in whose Custody shall be found, or who shall

shall expose to Sale, any green Deerkins, or fresh Venison killed at any Time after the first Day of *January*, and before the first Day of *September* aforesaid, and shall be thereof convicted by the Oath or Affirmation of one or more credible Witneffes, shall be deemed guilty of offending against this Act, and be subjected to the Penalties of killing Deer out of Season.

6. AND WHEREAS great Numbers of idle and disorderly Persons make a Practice of hunting on the waste and unimproved Lands in this Colony, whereby their Families are neglected, and the Publick is prejudiced by the Loss of their Labour, BE IT THEREFORE ENACTED *by the Authority aforesaid*, That, from and after the first Day of *January* next, no Person or Persons whatsoever (except such Persons as are by the Laws of this Colony qualified to vote for Representatives in General Assembly, in Right of their Freeholds, and their Sons being of the Age of eighteen Years or upwards, and living with their Parent or Parents, or being Freeholders) shall, on any Pretence whatever, hunt on the waste and unimproved Lands in this Colony; and if any Person or Persons, not qualified as aforesaid, shall presume to hunt as aforesaid, he or they so offending shall forfeit and pay, for every such Offence, the Sum of *Twenty Shillings*; to be recovered by Action of Debt, with Costs, by any Person who shall sue for the same; to be applied one Half to the Prosecutor, and the other Half to the Use of the Poor of the Township or Precinct where the Fact was committed.

Who may
hunt on un-
improved
Lands.

Penalty on
Offenders.

7. AND BE IT ENACTED *by the Authority aforesaid*, That if any Person or Persons within this Colony shall set any Trap or other Device whatsoever, larger than what is usually and commonly set for Foxes and Muskrats, such Person, setting such Trap or other Device, shall pay the Sum of *Five Pounds*, and forfeit the Trap or other Device, shall suffer three Months Imprisonment, and shall also be liable to make good all Damages any Person shall sustain by setting such Trap or other Device, and the Owner of such Trap or other Device, or Person to whom it was lent, shall be esteemed the Setter thereof, unless it shall be proved, on Oath or Affirmation, what other Person set the same, or that such Trap or other Device was lost by said Owner or Person to whom it was lent, and absolutely out of his Power; and if the Setter of the Trap or other Device be a Slave, and it be his own voluntary Act, he shall (unless the Master or Mistress shall pay the Fine) in Lieu of such Fine, be publicly whipped with thirty Lashes, and committed till the Costs are paid; and that the said Trap or other Device shall be broken and destroyed in the View and Presence of the Justice of the Peace before whom they are brought: And if any Person or Persons shall have Possession of, or there shall be found in his or their House, any Trap or Traps, Device or Devices whatsoever, for taking of Deer, such Person or Persons shall be subjected to the same Penalty as if he or they were convicted of setting such Trap or Traps, or other Device.

Penalty on
setting Traps,
&c.

Penalty on a
Slave setting
such Trap,
&c.

Penalty on
keeping such
Trap, &c.

8. AND, for encouraging the Destruction of such Traps and Devices, BE IT ENACTED *by the Authority aforesaid*, That if any Person shall seize any Trap or other Device for the taking of Deer, and shall carry such Trap or other Device to any Magistrate of the County where such Trap or Device was seized, such Person shall be entitled to

Reward for
seizing a
Trap, &c.

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an

an Order from the said Magistrate to the Collector of such County, to pay him the Sum of *Ten Shillings*, out of any Money in his Hands raised for the Use of the County; which Sums shall be allowed to such Collector on the Settlement of his Accounts.

Penalty on a Smith making or mending such Trap, &c.

Penalty on bringing such Trap, &c. into the Colony.

9. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That every Smith or other Artificer, who shall hereafter make or mend any such Trap or other Device aforesaid, he shall forfeit and pay the Sum of *Forty Shillings*; and the Person carrying such Trap or other Device to the Artificer aforesaid, shall forfeit and pay the Sum of *Twenty Shillings*. And every Person who shall bring into this Colony any such Trap or Device as aforesaid shall forfeit and pay the Sum of *Forty Shillings*. And if the Person who shall carry the same to the Smith or Artificer shall be so poor as that he shall not be able to pay the Forfeiture aforesaid, he shall be committed to the common Gaol, until he shall prove who is Owner of such Trap or Device, or who delivered the same to him; and in such Case the Forfeiture aforesaid shall be levied on the Goods, or in Failure of Goods, on the Body of the Owner of such Trap or Device, or the Person who delivered the same to the Pauper, and the Trap or Device shall be forfeited and destroyed.

Penalty for setting loaded Guns.

10. AND WHEREAS a most dangerous Method of setting Guns has too much prevailed in this Province, BE IT ENACTED *by the Authority aforesaid*, That if any Person or Persons within this Colony shall presume to set any loaded Gun in such Manner as that the same shall be intended to go off or discharge itself, or be discharged by any String, Rope, or other Contrivance, such Person or Persons shall forfeit and pay the Sum of *Six Pounds*; and on Non-payment thereof shall be committed to the common Gaol of the County for six Months.

Application of Penalties.

Jurisdiction given to one Magistrate.

11. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That the Fines and Forfeitures in this Act expressed, and not particularly appropriated, shall be paid, one Half to the Prosecutor, and the other Half to and for the Use of the Poor of the Town, Precinct or District, where the Offence is committed; and that the Execution of this Act, and every Part thereof, shall be within the Cognizance and Jurisdiction of any one Magistrate or Justice of the Peace, without any Reference to the Act for Trial of small Causes in this Colony.

This Act not to affect Parks.

12. AND BE IT ENACTED, That nothing in this Law shall be construed to extend to restrain the Owners of Parks, or of tame Deer, from killing, hunting or driving their own Deer.

Penalty on Magistrate neglecting his Duty.

13. AND BE IT ALSO ENACTED *by the Authority aforesaid*, That if any Justice of the Peace or other Magistrate, within this Province, shall have Information of any Persons offending against this Act, in killing Deer out of Season, setting and making Traps, Non-Residents killing Deer, and Persons setting of Guns, and shall not prosecute the same to Effect within two Months after such Information, he shall forfeit and pay the Sum or Sums to which the Offender against this Act would have been liable.

14. AND

14. AND BE IT ENACTED *by the Authority aforesaid*, That the Justices at every Quarter-Sessions of the Peace shall cause this Act to be publickly read; and give in Charge to the Grand-Jury to particularly inquire and present all Persons for killing Deer out of Season, setting or making Traps, and all Non-Residents killing, destroying, hunting and taking any Sort of Deer, and all Persons setting of Guns; and, upon Conviction for either of the said Offences, the said Justices shall set and impose the Fines and Penalties herein before-mentioned, with Costs of Suit.

This Act to
be published
and executed.

15. AND BE IT ENACTED *by the Authority aforesaid*, That if any Person or Persons whatsoever, whether the Accused or Accuser, Plaintiff or Defendant, shall think themselves aggrieved by any of the Judgments given by the said Justices or other Magistrates, for any Suit commenced by Virtue of this Act; then it shall and may be lawful for such Person or Persons to appeal, on giving sufficient Security for the Forfeitures and Costs, to the next Court of General Quarter-Sessions, held for such County where such Judgment shall be given; which Court is hereby empowered to hear and determine all and every such Appeal or Appeals.

Appeal given
to next Ses-
sions.

16. AND BE IT ENACTED *by the Authority aforesaid*, That if any Person or Persons, within this Colony, shall, after the Publication of this Act, watch with a Gun, on any uninclosed Land within two Hundred Yards of any Road or Path, in the Night Time, whether the said Road is laid out by Law or not, or shall stand or station him or themselves upon or within two Hundred Yards of any Road as aforesaid, for shooting at Deer driven by Dogs, he or they so offending, shall, on Conviction, forfeit and pay the Sum of *Five Pounds* for every such Offence; to be recovered by Action of Debt, or Presentment of the Grand-Jury as aforesaid, and pay all Damages.

Penalty for
watching in
the Night
near a Road.

17. PROVIDED ALWAYS, That the sixth Section of this Act shall not be construed to affect any Native *Indian*; and that nothing in this Act shall be construed to prevent the Inhabitants of *Essex, Bergen, Morris* and *Suffex*, from making, having in their Houses, or setting Traps of five Pounds Weight or more for Bears, Wolves, Foxes, or any other wild Beasts, Deer only excepted.

Not to affect
Indians, nor
Essex, Bergen,
Morris or
Suffex.

18. AND BE IT FURTHER ENACTED *by the Authority aforesaid*, That all former Laws made in this Colony for the Preservation of Deer and other Game, and to prevent trespassing with Guns, and regulating the Size of Traps, shall be, and they are hereby repealed.

Repeal of
Former Laws.

C H A P. DXLI.

*An ACT declaring the River Delaware a common Highway,
and for improving the Navigation in the said River.*

Passed Dec. 21, 1771.

WHEREAS the improving the Navigation in Rivers is of great Importance to Trade and Commerce; AND WHEREAS the River
Delaware

Preamble.

12th GEORGE III.
A. D. 1772.

And for counterfeit-
ing Labels or Marks.

Inspector's Oath.

If the Officer is
rendered incapable
of acting, the Mayor,
&c. to appoint
another.

Inspector to pro-
vide a Store near the
Water.

Act of Force until
1st Feb. 1774.

Preamble.

as aforesaid; that every such Person and Persons, shall forfeit *Three-pence per Pound*, for every Pound of Flax so sold, contrary to this Act, and at and after that Rate for every greater Quantity, to be sued for and recovered by Action of Debt, with Costs of Suit, in a summary Way, by any Person who will sue for and prosecute the same before any Justice of the Peace within the City of *New-York*, to be levied by Process, to be directed to either of the Constables, or other proper Officer of the City, commanding them, or either of them, to levy the same by Distress and Sale of the Offenders Goods and Chattels; which Forfeiture when recovered as aforesaid, to be applied by the Person recovering the same, to his or her own Use; and if any Person or Persons, shall presume to counterfeit the Label or Mark of the said Inspector, he, she, or they so offending, shall forfeit for every such Offence, the Sum of *Five Pounds*, to be sued for, recovered and applied in Manner aforesaid.

IV. And be it further Enacted, That *Obadiab Wells*, shall be, and hereby is appointed Inspector of Flax within the City of *New-York*; which said Inspector before he does any Thing in Execution of the said Office, shall take an Oath before the Mayor or Recorder of the City of *New-York*, in the Words following, *to wit. I A. B. do swear, that I will faithfully, truly and impartially, according to the best of my Judgment, Skill and Understanding, execute, do and perform, the Office and Duty of an Inspector and Examiner of Flax, according to the true Intent and Meaning of an Act, entitled, An Act for the Inspection of Flax in the City of New-York; and I will not directly or indirectly, buy or sell any Flax, during the Time I continue Inspector of the same, except for the private Use of my Family. So help me G O D.* And if the Officer hereby appointed, shall by any Accident be rendered incapable, or neglect to execute the said Office, or misbehave himself therein, or shall happen to die, then and so often, and from Time to Time, in such Cases, it shall and may be lawful, to and for the Mayor, Recorder, and Aldermen of the City of *New-York*, or the major Part of them, to supply his Place by some other fit and capable Person, who shall thereupon be the Officer for putting this Act in Execution, until another be appointed by Act or Acts hereafter to be passed for that Purpose; which Officer so appointed, shall take the Oath above-mentioned, have the same Powers, and be liable to the same Penalties, as the Officer particularly appointed by this Act; any Law, Usage, or Custom to the contrary notwithstanding.

V. Provided always, and be it Enacted by the Authority aforesaid, That the said Inspector shall be obliged to procure a House or Store proper for the Inspection of the said Flax, to be situated near the Water, between *Peck's and Burling-Slips*, in this City.

This Act to continue in Force, from the tenth Day of *April* next, until the first Day of *February*, One thousand seven hundred and seventy-four.

C H A P. MDXLIX.

An ACT to prevent the Danger arising from the pernicious Practice of lodging Gun-Powder in Dwelling-Houses, Stores, or other Places within the City of *New-York*, or on board of Vessels within the Harbour.
Pass'd the 24th March, 1772.

WHEREAS the City of *New-York* has lately been greatly endangered by the storing of Gun-Powder to the Southward of *Fresh-Water*, contrary to Law, notwithstanding the Corporation have long since provided a Powder-House for that Purpose.

I. 25c

I. Be it therefore Enacted by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That from and after the passing of this Act, it shall not be lawful for any Person or Persons, other than Shop-keepers and Retailers of Gun-Powder, to have or keep in any Place within two Miles of the City-Hall of the said City, more than Six Pounds of Gun-Powder, nor for Shop-keepers and Retailers more than Twenty-eight Pounds Weight of Gun-Powder, and that in four separate Stone Jugs, or Leathern Bags, each of which shall not contain more than Seven Pounds of Gun-Powder, upon Pain of forfeiting all such Gun-Powder; and the Sum of *Forty Pounds* for every Hundred Weight, and in that Proportion for a greater or less Quantity; and upon Pain of forfeiting all such Quantities which any Person may lawfully keep as aforesaid, and which shall not be separated as above directed, with full Costs of Suit to any Person or Persons who will inform and sue for the same, by any Action, Bill, or Information, in any of his Majesty's Courts of Record in this Colony; which Courts are hereby empowered and required to give special Judgment in such Actions, Bills, or Informations to be brought upon this Act, as well for the Recovery of such Gun-Powder in Specie, as for the Penalty aforesaid, besides Costs, and to award effectual Execution thereon.

12th GEORGE III.
A. D. 1772.

Retailers of Gun-powder not to keep more than 28 lb. within 2 Miles of the City-Hall, and other Persons not more than 6 lb.

on Forfeiture of the Gun-powder, and also of £. 40s. for each C. wt.

II. And be it further Enacted by the Authority aforesaid, That it shall be lawful for the Mayor or Recorder, or any two Justices of the Peace of the City and County of *New-York*, upon Demand made by any one or more Householder or Householdiers, being an Inhabitant or Inhabitants of the said City, within two Miles of the City-Hall of the said City, assigning a reasonable Cause of Suspicion, on Oath; of the Sufficiency of which Cause the said Mayor or Recorder, or Justices, is and are to judge, to issue his or their Warrant or Warrants, under his or their Hands and Seals, for searching in the Day-Time for Gun-Powder within the Limits aforesaid, any such Building or Place whatsoever, or any such Ship or Vessel within twelve Hours after her Arrival and fastening to the Wharf, or to any other Ship or Vessel along Side of the Wharf or Key, of which Building, Place, Ship or Vessel such reasonable Cause of Suspicion shall be assigned, on Oath, as aforesaid; and that upon every or any such Search, it shall be lawful for the Searchers or Persons finding the same, immediately to seize, and then, or at any Time within twelve Hours after such Seizure, to amove, or Cause to be amoved, all such Gun-Powder as shall be found within the Limits aforesaid, or on board of such Vessel as aforesaid, upon any such Search, exceeding the Quantity allowed by this Act, to some proper Magazine, now or to be built for the Purpose of Storing of Gun-Powder; and the same being so amoved, it shall be lawful to detain and keep the same until it shall be determined in one of his Majesty's Courts of Record of this Colony, whether the same shall be forfeited by Virtue of this Act; and the Person or Persons so detaining the same, shall not in the mean Time be subject or liable to any Action or Suit for the keeping or detaining the same, until it shall be determined, whether the same be forfeited as aforesaid.

Warrants to issue to search Ships or Places where Gun-powder is suspected to be lodged, contrary to this Act.

Power to seize and remove all above the Quantity allowed.

Persons seizing, not subject to any Suit for the Detention, until it shall be determined whether forfeited or not.

III. Provided always, and be it Enacted by the same Authority, That nothing in this Act contained, shall be construed to countenance or authorize any Person having such Warrant, to take Advantage of the same, for serving any civil Process of any kind whatsoever, but that all such Service shall be absolutely null and void.

Service of civil Process at the Time of searching, void.

IV. Provided

12th GEORGE III.
A. D. 1772.

No Suit to be
maintained on this
Act by Collusion
with the Owners of
the Gun-powder.

Not more than
Five C. wt. to be car-
ried at a Time, thro'
the Streets.

and that to be cover-
ed with Bags or
Leather Cases,

on Penalty of for-
feiting the Gun-
powder.

Act not to extend to
Ships of War or the
King's Stores.

General Issue.

Limitations of Ac-
tions to be brought
against Persons exe-
cuting this Act.

Firemen may seize
for their own Use,
Gun-powder found
during any Fire.

IV. *Provided also, and it is hereby further enacted by the Authority aforesaid,* That it shall not be lawful for any Person or Persons interested in such Gun-Powder, or any Person or Persons by Collusion with the Owners or Proprietors thereof, to have or maintain any Action, Bill, or Information, upon this Act; any Thing herein contained to the contrary notwithstanding.

V. *And for preventing the dangerous Carriage of Gun-Powder, in and through the Streets of the City of New-York, within two Miles of the City Hall of the said City: Be it Enacted by the Authority aforesaid,* That from and after the passing of this Act, it shall not be lawful for any Person or Persons, to carry or convey in or through any of the Streets or Lanes within the Limits aforesaid, more than Five Hundred Pounds Weight of Gun-Powder at a Time; and that all Gun-Powder which shall be carried or conveyed in any Carts or Carriages, or by Hand or otherwise, in or thro' any of the Streets or Lanes aforesaid, after the Time aforesaid, shall be in tight Casks, well headed and hooped, and shall be put into Bags or Cases of Leather, and intirely covered therewith, so as that no such Gun-Powder be spilt or scattered in the Passage thereof; and if at any Time after the passing of this Act, any Gun-Powder shall be carried or conveyed by any Person or Persons, in or through any of the Streets or Lanes aforesaid, in any greater Quantity, or in any other Manner than as aforesaid, all such Gun-Powder shall be forfeited, and shall and may be seized by any Person or Persons, to his or their own Use and Benefit, the Person or Persons so offending, being thereof lawfully convicted before two Justices of the Peace. *Provided always,* That this Act or any Thing herein contained, shall not extend or be construed to extend in any wise, to affect any Ship of War, Storehouse, or Magazine belonging to his Majesty, his Heirs or Successors, wherein Gun-Powder or other Stores shall be kept, for the Use of the Public or the Powder House above-mentioned.

VI. *And be it further Enacted by the Authority aforesaid,* That if any Suit or Action shall be commenced or prosecuted against any Person or Persons, for any Thing done in Pursuance of this Act, in every such Case, such Person or Persons, shall and may plead the general Issue, and give this Act and the special Matter in Evidence, at any Tryal to be had thereupon, and that the same was done in Pursuance, or by the Authority of this Act; and if a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs, shall become non-suit or discontinue his, her, or their Suit or Action after Issue joined, or if upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants, shall and may recover treble Costs, and shall have the like Remedy for the same, as any Defendant or Defendants, hath or have in any other Case by Law.

VII. *Provided always, and be it Enacted by the Authority aforesaid,* That all Suits, Actions, and Prosecutions to be brought, commenced or prosecuted against any Person or Persons, for any Thing done or to be done, in Pursuance or by Authority of this Act, shall be laid and tried in the County where the Fact was committed, and shall be commenced and prosecuted without wilful Delay, within six Calendar Months next after the Fact committed, and not otherwise.

VIII. *And be it further Enacted by the Authority aforesaid,* That if any Powder other than such Quantity as any Person by this Act, may lawfully keep in his Custody, shall be found during any Fire, or Alarm of Fire

WILLIAM TRYON, Esq; Governor.

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Fire in the said City, by any of the Firemen of the said City, it shall be lawful for him to seize the same, without Warrant from a Magistrate, and to hold and have the same to his own Use; any Thing in this Act to the contrary notwithstanding.

12th GEORGE III.
A. D. 1772.

This Act to be and continue of Force from the passing thereof, until the Twenty-fifth Day of *March*, One Thousand Seven Hundred and Seventy-four.

C H A P. MDL.

An ACT for the better Support of the Hospital to be erected in the City of New-York, for sick and indigent Persons.

Pass'd the 24th March, 1772.

WHEREAS his Majesty has been graciously pleased by Letters Patent or Charter, under the Great Seal of this Colony, to establish a Corporation under the Name of, *The Society of the Hospital in the City of New-York in AMERICA*; for the benevolent Design of healing such sick Persons, who from their extreme Indigence, are become Objects of Charity. *And whereas* the said Society have by their Petition to the General Assembly, not only suggested, that without the Aid of the Public, the Institution is in Danger of failing; but given the fullest and most explicit Assurances, that the Benefits thereof shall not be denied to any poor diseased Persons, and that they mean to proceed uninfluenced by any contracted or partial Attachments, and without civil or religious Distinctions of any Kind. *And whereas* a Society established for Ends, so laudable, and conducted by Principles so generous, humane and benevolent, deserves the Encouragement of the Public;

Preamble.

I. Be it therefore Enacted by his Excellency the Governor, the Council, and the General Assembly, and it is hereby Enacted by the Authority of the same, That the Treasurer of this Colony for the Time being, shall, out of any Fund in the Treasury, pay, and he is hereby required to pay unto the Treasurer, for the Time being, of the said Society of the Hospital in the City of New-York, in America, the Sum of *Eight Hundred Pounds* annually, for and during the Term of Twenty Years, to be computed from the first Day of *February* next; which Sum of *Eight Hundred Pounds*, so to be paid, shall become chargeable upon the Duty of Excise, laid or to be laid, on strong Liquors retailed in the City of *New-York*.

£. 800, to be paid annually for 20 Years, chargeable on the Excise in New-York, for the Use of the Hospital.

II. And be it also Enacted by the same Authority, That the Monies that may hereafter arise by the Duty of Excise to be laid on strong Liquors retailed in the several Cities, Counties, Towns, Boroughs, and Manors within this Colony, for and during the Term of Twenty Years, to be computed from the first Day of *February* next, and not appropriated by this Act, shall be paid by the Commissioners to be appointed for collecting the Duty of Excise on strong Liquors retailed within this Colony, unto the Treasurer of the Counties severally, where such Duty shall be collected, to be annually disposed of and applied to the Use of such Counties, in such Manner as the Majority of the Supervisors of the Counties respectively, shall think proper. *Provided always*, That if the Duty on Excise in the City of *New-York*, should in any Year exceed the said Sum of *Eight Hundred Pounds*, that such Excess shall be paid, and the Commissioner to be

The Excise in the other Counties appropriated to repairing Highways during 20 Years.

S L

appointed,

ACTS AND LAWS,

PASSED BY THE GENERAL COURT OF MASSACHUSETTS:
BEGUN AND HELD AT BOSTON, IN THE COUNTY OF
SUFFOLK, ON WEDNESDAY THE THIRTY-FIRST DAY OF
MAY, ANNO DOMINI, 1786.

1786. — Chapter 1.

[May Session, ch. 1.]

AN ACT FOR NATURALIZING ROBERT MORRIS AND JAMES ALEXANDER. *Chap. 1.*

Whereas Robert Morris and James Alexander, residents in Shrewsbury, in the county of Worcester, have petitioned the General Court, that they may be naturalized, and be thereby entitled to all the rights, liberties and privileges of free citizens of this Commonwealth: Preamble.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That the said Robert Morris and James Alexander, upon their taking the Oaths of allegiance and abjuration, required by the Constitution of this Commonwealth, before two Justices of the Peace, shall be deemed, adjudged and taken to be free citizens of this Commonwealth, to all intents, constructions and purposes, as if they the said Robert Morris and James Alexander, had been inhabitants of the territory now the Commonwealth aforesaid, at the time of making the present form of civil government.

*Robert Morris
and James Alex-
ander natural-
ized.*

And it is further enacted, That the Justices before whom the same Oaths shall be taken, shall return a certificate thereof, into the Secretary's office; and the Secretary is hereby directed, to record the same in a book to be kept for that purpose.

*Certificate to
be returned.*

June 5, 1786.

1786. — CHAPTER 38.

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ART. *Sixtieth*. The Field Officers of each and every Regiment, shall appoint some suitable person, belonging to such Regiment, to receive such fines as may arise within the same, for any breach of any of the foregoing articles ; and shall direct the same to be properly applied to the relief of such sick, wounded or necessitous soldiers as belong to such regiment ; and such person shall account with such Officer for all fines received, and the application thereof.

Field-officers to appoint persons to receive fines, &c.

ART. *Sixty First*. All crimes not capital, and all disorders and neglects, which Officers and Soldiers may be guilty of, to the prejudice of good order and military discipline, tho' not mentioned in the foregoing articles, are to be taken cognizance of by a general or regimental Court martial, according to the nature and degree of the offence, and be punished at their discretion.

Crimes not mentioned in these articles, may be taken cognizance of.

ART. *Sixty Second*. Whenever any Officer or soldier shall be accused of a capital crime, or of having used violence or committed any offence against the person or property of the good people of this or either of the United States, such as is punishable by the known laws of the land, the commanding officer and officers of every regiment, troop or party, to which the person or persons so accused shall belong, are hereby required, upon application duly made by or in behalf of the party or parties injured, to use his utmost endeavours to deliver over such accused person or persons to the Civil Magistrate, and likewise to be aiding and assisting to the Officers of Justice in apprehending and securing the person or persons so accused, in order to bring them to trial. And if any commanding Officer or Officers shall willfully neglect, or shall refuse upon the application aforesaid, to deliver over such accused person or persons to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in apprehending such person or persons, such officer or officers so offending, shall be cashiered. *October 24, 1786.*

Any officer or soldier, accused of a crime punishable by the known laws of the land —

To be delivered over to the civil magistrate.

1786. — Chapter 38.

[September Session, ch. 8.]

AN ACT TO PREVENT ROUTS, RIOTS, AND TUMULTUOUS ASSEMBLIES, AND EVIL CONSEQUENCES THEREOF.

Chap. 38.

Whereas the provision already made by Law, for the preventing routs, riots and tumultuous assemblies, and the evil consequences thereof, has been found insufficient :

Preamble.

Proclamation to
be made among
rioters.

Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, that from and after the publication of this Act, if any persons to the number of twelve, or more, being armed with clubs, or other weapons; or if any number of persons, consisting of thirty or more, shall be unlawfully, routously, riotously or tumultuously assembled, any Justice of the Peace, Sheriff or Deputy Sheriff of the County, or Constable of the Town, shall among the rioters, or as near to them as he can safely come, Command Silence, while Proclamation is making; and shall openly make Proclamation, in these or the like words:

COMMONWEALTH OF *Massachusetts*.

Form.

By virtue of An Act of this Commonwealth, made and passed in the year of OUR LORD, One thousand seven hundred and eighty six, entitled, “An ACT for suppressing routs, riots, and tumultuous assemblies, and the evil consequences thereof,” I am directed to charge and command, and I do accordingly charge and command, *all persons*, being here assembled, immediately to disperse themselves, and peaceably to depart to their habitations, or to their lawful business, upon the pains inflicted by the said ACT.

GOD Save the COMMONWEALTH.

If the persons
assembled do
not disperse,
— officers em-
powered, &c.

And if such persons, assembled as aforesaid, shall not disperse themselves within one hour after proclamation made, or attempted to be made, as aforesaid, it shall be lawful for every such officer to command sufficient aid, and he shall seize such persons, who shall be had before a Justice of the Peace; and the aforesaid Justice of the Peace, Sheriff or Deputy Sheriff, is hereby further empowered, to require the aid of a sufficient number of persons in arms, if any of the persons assembled as aforesaid shall appear armed: And if any such person or persons shall be killed or wounded, by reason of his or their resisting the persons endeavouring to disperse or seize them, the said Justice, Sheriff, Deputy Sheriff, Constable and their assistants, shall be indemnified and held guiltless.

And be it further Enacted, that if any person, being commanded by such Justice, Sheriff, Deputy Sheriff or Constable, as aforesaid, shall refuse or neglect to afford the assistance required, and shall be convicted thereof upon the oath of either of the said Officers, so command-

1786. — CHAPTER 38.

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ing, or other legal evidence, he shall forfeit and pay a sum not less than *forty shillings*, nor exceeding *ten pounds*, to be recovered by indictment, or presentment, before the Supreme Judicial Court, or any Court of General Sessions of the Peace, according to the aggravation of the Offence; to be paid into the Public Treasury, for the use of the Commonwealth.

Penalty for refusing to assist the Sheriff or other officer.

And Be it further enacted, that all persons, who for the space of one hour after Proclamation made, or attempted to be made, as aforesaid, shall unlawfully, routously, riotously and tumultuously continue together, or shall willfully let, or hinder, any such Officer, who shall be known, or shall openly declare himself to be such, from making the said Proclamation, shall forfeit all their lands, tenements, goods and chattels, to this Commonwealth, or such part thereof as shall be adjudged by the Justices, before whom such Offence shall be tried, to be applied towards the support of the Government of this Commonwealth; and shall be whipt thirty nine stripes on the naked back, at the Public whipping-post, and suffer imprisonment for a term not exceeding twelve months, nor less than six months; and once every three months during the said imprisonment, receive the same number of stripes on the naked back, at the public whipping post as aforesaid. And if any such person or persons, so riotously assembled, shall demolish or pull down, or begin to demolish or pull down, any dwelling house, or other house, or parcell thereof; any house, built for public uses; any barn, mill, malt house, store house, shop or ship, he or they shall suffer the same pains and penalties, as are before provided in this Act.

Punishment for unlawfully continuing together one hour after proclamation made.

Provided always, that where there shall appear any circumstances, to mitigate or alleviate any of the offences against this Act, in the judgment of the Court, before which such offence shall be tried, it shall and may be lawful, for the Justices of such Court, to abate the whole of the punishment of whipping, or such part thereof, as they shall judge proper; any thing in this Act, to the contrary notwithstanding.

Proviso.

And be it further enacted, that this Act shall be read, at the opening of every Court of General Sessions of the Peace, by the Clerk of the said Court, and at the anniversary meeting of each town, within this Commonwealth, by the town Clerk thereof, in *March* or *April*, annually:

Times when this act shall be read.

And no person shall be prosecuted, for any offence contrary to this Act, unless prosecution be commenced within twelve months after the offence committed.

October 28, 1786.

1786. — Chapter 39.

[September Session, ch. 9.]

Chap. 39. AN ACT, PROVIDING FOR THE MORE EASY PAYMENT OF THE SPECIE TAXES, ASSESSED PREVIOUS TO THE YEAR ONE THOUSAND SEVEN HUNDRED AND EIGHTY-FOUR.

Preamble.

Whereas it appears from a statement of the Treasury, That there is a considerable sum in specie, due on the outstanding Taxes, assessed previous to the year one thousand seven hundred and eighty four: And whereas from the great scarcity of cash, it is expedient, that some more easy and convenient mode should be adopted, for the speedy completing the collections thereof, than the mode heretofore practised:

Towns, &c. that are deficient, permitted to pay the balances due, in the species of articles expressed.

Be it therefore enacted, by the Senate and House of Representatives, in General Court Assembled, and by authority of the same, That the inhabitants of the several Towns, Districts, and other places, in this Commonwealth, who are deficient in the payment of the said Taxes, be, and they are hereby permitted to pay all the balances due on the several specie Taxes which were assessed previous to the year one thousand seven hundred and eighty four, (including the balances which remained due on the Beef Taxes) either in cash, or in the several species of articles hereinafter expressed, in the manner, at the several places, and the prices hereinafter enumerated, and established at each, — to wit:

Articles received at the town of Boston.

At a Store, or other convenient place, to be appointed in the Town of Boston, the following articles, at the respective prices annexed thereto viz.

Good merchantable Beef, at twenty shillings per hundred.

Good barrelled Beef, well salted and packed, according to Law, at two pounds eight shillings per barrel.

Good merchantable Pork, at four pence per pound.

Good barrelled Pork, in barrels of two hundred and twenty pounds each, well packed and salted, at three pounds fifteen shillings per barrel.



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L A W S
OF THE
T E R R I T O R Y
OF THE
U N I T E D S T A T E S ,
NORTH-WEST OF THE RIVER OHIO;

PASSED AT THE FIRST SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD AT
CINCINNATI, ON MONDAY, THE SIXTEENTH DAY OF SEPTEMBER, A: D. ONE
THOUSAND, SEVEN HUNDRED AND NINETY-NINE:

ALSO,

CERTAIN LAWS ENACTED BY THE GOVERNOR AND JUDGES OF THE TERRITORY, FROM
THE COMMENCEMENT OF THE GOVERNMENT TO DECEMBER, ONE THOUSAND,
SEVEN HUNDRED AND NINETY TWO;

WITH AN APPENDIX

CONTAINING RESOLUTIONS, THE ORDINANCE OF CONGRESS FOR THE GOVERNMENT OF
THE TERRITORY, THE CONSTITUTION OF THE UNITED STATES, AND THE LAW
RESPECTING FUGITIVES.

VOL I.

Published by Authority.

C I N C I N N A T I ,

FROM THE PRESS OF CARPENTER & FINDLAY,
PRINTERS TO THE TERRITORY,
MDCCC.

ACTS
PUBLISHED BY THE
GOVERNOR AND JUDGES
OF THE
TERRITORY
OF THE
UNITED STATES,
NORTH-WEST OF THE RIVER OHIO,
FROM THE COMMENCEMENT OF THE GOVERNMENT, TO DECEMBER,
ONE THOUSAND, SEVEN HUNDRED AND NINETY-TWO.

ACTS, &c.

CHAPTER I.

A LAW respecting Oaths of Office, published by his excellency Arthur St. Clair, esquire, governor of the Territory of the United States, north-west of the river Ohio, and by the honorable Samuel Holden Parsons, and James Mitchell Varnum, esquires, judges, at the city of Marietta, in the Territory aforesaid, upon the second day of September, in the thirteenth year of the independence of the said United States, and of our Lord one thousand, seven hundred and eighty-eight.

EVERY person appointed to any civil office in the territory, and commissioned by the governor, shall, previously to his entering upon the exercise of his office, take the following oath, viz. I, A B, being appointed to the office of do solemnly swear, that I will well and truly execute the duties of my said office, according to the best of my skill and understanding, without fraud or partiality. So help me God.

Every person
appointed to
civil offices
to take oath,

or

Any person appointed, as aforesaid, conscientiously scrupulous of taking an oath, shall make the following affirmation, previously to entering upon the duties of his office, viz. I, A B, being appointed to the office of do solemnly, sincerely and truly declare and affirm, that I will well and truly execute the duties of my said office, according to the best of my skill and understanding, without fraud or partiality; and this I declare and affirm under the pains and penalties of perjury.

affirmation,

[6]

And that all oaths of office, or declarations and affirmations prescribed as aforesaid, shall be taken before the governor, or such person or persons as shall by him be appointed and commissioned for that purpose, and certified upon the commission of the person taking the same. And in case of the absence of the governor, the said oath, or declaration and affirmation may be taken before, and certified by either of the judges of the territory.

before the
governor.

AR. ST. CLAIR,
SAML. H. PARSONS,
JAMES M. VARNUM.

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CHAPTER II.

A LAW respecting Crimes and Punishments, published by his excellency Arthur St. Clair, esquire, governor, and the honorable Samuel Holden Parsons, and James Mitchell Varnum, esquires, judges of the territory of the United States, north-west of the river Ohio, at the city of Marietta, the sixth day of September, in the thirteenth year of the independence of the United States, and of our Lord, one thousand, seven hundred and eighty-eight.

Treason.

**What offences
shall**

IF any person belonging to, residing in, or protected by the laws of this territory, shall levy war against the United States, or against this territory, or shall knowingly and wilfully aid or assist any enemies at war against the United States, or this territory, by joining the armies or fleets of such enemies, or by enlisting, persuading or procuring others to join said fleets or armies, or by furnishing such enemies with arms, or ammunition, or provisions, or any other articles for their aid or comfort, or by carrying on a treasonable and treacherous correspondence with them, or

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**be deemed
treasonable.**

shall form, or be any way concerned in forming any combination, plot or conspiracy for betraying the United States, or this territory, into the hands or power of any foreign enemy, or shall give or attempt to give or send any intelligence to any such enemy for said purpose, the person or persons so offending shall be deemed guilty of treason, and, upon conviction thereof, shall suffer the pains of death, and shall, moreover, forfeit all his, her or their estate, real and personal, to this territory.

Murder.

Murder.

If any person or persons shall, with malice aforethought, kill or slay another person, he, she, or they, so offending, shall be deemed guilty of murder, and, upon conviction thereof, shall suffer the pains of death.

Manslaughter.

Manslaughter.

If any person or persons shall wilfully kill or slay another person, without malice aforethought, he, she, or they, so offending, shall be

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deemed guilty of manslaughter, and, upon conviction thereof, shall be punished as at the common law hath heretofore been used and accustomed. *Provided nevertheless*, That if any person in the just and necessary defence of his own life, or the life of any other person, shall kill or slay another person attempting to rob or murder in the field or highway, or to break into a dwelling house, if he cannot with safety to himself, otherwise take the felon or assailant, or bring him to justice, he shall be holden guiltless.

Burglary.

If any person or persons shall, in the night season, break open and enter any dwelling house, shop, store or vessel, in which any person or persons dwell or reside, with a view and intention of stealing and purloining therefrom, he, she or they, so offending, shall be deemed guilty of burglary, and,

**Burglary,
what crimes
deemed,**

how punished;

[8]

upon conviction thereof, shall be whipped, not exceeding thirty-nine stripes, and find sureties for good behaviour for a term not exceeding three years; and upon default of sureties, shall be committed to gaol for a term not exceeding three years, or until sentence be performed.

If the person or persons, so breaking and entering any dwelling-house, shop, store or vessel, as aforesaid, shall actually steal and purloin therefrom, he, she or they, so offending, upon conviction thereof, shall, moreover, be fined in treble the value of the articles stolen; one third of such fine to be to the territory, and the other two thirds to the party injured.

and fined.

If the person or persons so breaking and entering any dwelling-house, shop, store or vessel as aforesaid, shall commit, or attempt to commit any personal abuse, force or violence, or shall be so armed with any dangerous weapon or weapons as clearly to indicate a violent intention, he, she or they, so offending, upon conviction thereof, shall, moreover, forfeit all his, her or their estate, real and personal, to this territory, out of which, the party injured shall be recompensed as aforesaid, and the offender shall also be committed to any gaol in the territory for a term not exceeding forty years.

**Forfeiture
on persons
breaking
houses, &c.**

And if the death of any innocent person should ensue from the breaking and entering any dwelling house, shop, store or vessel, as

**What cases
deemed wilful
murder.**

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aforesaid, in any of the instances aforesaid, the person or persons so breaking and entering shall be deemed guilty of wilful murder. And all persons aiding and assisting in breaking and entering any dwelling house, shop, store or vessel as aforesaid, or in any of the crimes consequent thereupon, as before pointed out, shall be deemed principals.

**What crimes
deemed
rob-**

Robbery.

If any person or persons shall unlawfully and forceably take from the person of another in the

[9]

**berry, and
how punished.**

field or highway, any money, goods or chattels, he, she or they so offending, shall be deemed guilty of robbery, and upon conviction thereof, shall suffer as in the first instance of burglary.

**Robbery,
how punished.**

Whoever shall commit such robbery with personal abuse or violence, or be armed, at the time with any dangerous weapon or weapons, so as clearly to indicate an intention of violence, he, she or they, so offending, upon conviction thereof, shall moreover suffer as in the second instance of burglary. And in case any person or persons robbing or attempting to rob, as aforesaid, shall kill or slay any person or persons defending him, her or themselves, or others, or his, her or their property against such robber or robbers, or person or persons, attempting to rob, or in pursuing and endeavoring to apprehend and secure such person or persons so robbing or attempting to rob, he, she or they, so offending, shall be deemed guilty of wilful murder. And all aiders and abettors in any robbery as aforesaid, and in any of the crimes consequent thereupon, as before pointed out, shall be deemed principals.

AR. ST. CLAIR,
SAML. H. PARSONS,
JAMES M. VARNUM.

Riots and unlawful Assemblies.

**Fines on
unlawful
assemblies
&c.**

If three or more persons shall assemble together with intention to do any unlawful act, with force and violence, against the person or property of another, or to do any other unlawful act, against the peace and to the terror of the people; or, being lawfully assembled, shall agree with each other to do any unlawful act as aforesaid, and shall make any movement or preparation therefor, the persons so

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③ *New Jersey - Legislature*

LAWS

OF THE

STATE OF NEW-JERSEY.

Revised and Published

UNDER THE AUTHORITY OF THE LEGISLATURE.



TRENTON:

PRINTED, FOR THE STATE, BY JOSEPH JUSTICE.

1821.

LAWS OF NEW-JERSEY.

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the money therein directed to be made, within ninety days after receiving such warrant, he shall, for every offence, forfeit and pay one hundred dollars, to be recovered, with costs, by action of debt, by the treasurer, or the county or township collector, as the case may require, for the use of the state, and shall also be amerced by the court of common pleas of the county, to the amount of the sum in the said warrant mentioned, with interest and costs; which amercement shall have the force and effect of a judgment, whereon execution shall instantly, and without any further proceedings, be issued against the goods and chattels, lands, tenements, hereditaments and real estate of the sheriff so amerced.

1799.

he shall not execute the warrant agreeably to law.

39. *And be it enacted*, That if the sheriff shall not execute the writ of execution agreeably to this act, or shall not pay the money therein directed to be made, within ninety days after receiving such execution, he shall, for every offence, forfeit and pay one hundred dollars, to be recovered, with costs, by action of debt, by the treasurer, or the county or township collector, as the case may require, for the use of the state; and shall also be amerced by the court, out of which such execution issued, to the amount of the sum in the said execution mentioned, with interest and costs; which amercement shall have the force and effect of a judgment, whereon execution shall instantly, and without any further proceedings, be issued against the goods and chattels, lands, tenements, hereditaments and real estate of the sheriff so amerced.

Sheriff, how to be proceeded against, if he shall not execute the writ of execution agreeably to law.

40. *And be it enacted*, That every act and every clause of any act within the purview of this act, be, and they are hereby repealed; but such repeal shall not extend to or affect any assessment, tax, penalty, suit, judgment, warrant of distress, or writ of execution, made, arising, commenced, entered, or issued under any act or clause hereby repealed; but that the same shall be collected, prosecuted, enforced and proceeded upon, in the like manner as if this act had not been made.

Former acts repealed, but such repeal not to affect antecedent taxes, judgments, warrants and executions.

See the act designating taxable property, March 9, 1801.

AN ACT to describe, apprehend and punish disorderly persons.

PAT. 410.

Passed the 10th of June, 1799.

1. BE IT ENACTED by the Council and General Assembly of this state, and it is hereby enacted by the authority of the same, That all paupers, who shall unlawfully return to the city or township, from which they were legally removed, without a certificate from the city or township to which they belong, or who shall leave their places of legal settlement; and all persons, who shall go about from door to door, or place themselves in streets, highways or passages, to beg, crave charity, or collect alms, or who shall wander abroad and lodge in taverns, inns, beer-houses, out-houses, houses of entertainment, market-houses, barns or other

Who shall be adjudged to be disorderly persons.

1789.

places, or in the open air, and not give a good account of themselves, or who shall wander abroad, and beg or solicit charity, under pretence of being or having been soldiers, mariners, or seafaring men, or of loss by fire, or other casualty, or of loss by the Indians, or by war, or other pretence or thing; and all persons who shall leave, or threaten to leave their families to be maintained by the city, township or county, or to become chargeable thereto, or who, not having sufficient property or means for their subsistence or support, shall live idle, or not engage in some honest employment, or not provide for themselves or families; and all persons who shall use, or pretend to use, or have any skill in physiognomy, palmistry, or like crafty science, or who shall pretend to tell destinies or fortunes; and all runaway servants or slaves, and all vagrants or vagabonds, common drunkards, common night-walkers, and common prostitutes, shall be deemed and adjudged to be disorderly persons.

Further description of disorderly persons.

2. *And whereas* divers ill disposed persons are frequently apprehended, having upon them implements for house-breaking, or offensive weapons, or are found in or upon houses, warehouses, stables, barns or out-houses, areas of houses, coach-houses, smoke-houses, enclosed yards, or gardens belonging to houses, with intent to commit theft, misdemeanors or other offences; and although their evil purposes are thereby manifested, the power of the justices of the peace to demand of them sureties for their good behaviour hath not been of sufficient effect to prevent them from carrying their evil purposes into execution; *Be it further enacted*, That if any person shall be apprehended, having upon him or her any picklock, key, crow, jack, bit, or other implement, with an intent to break and enter into any dwelling-house, ware-house, stable, barn, coach-house, smoke-house or out-house; or shall have upon him or her any pistol, hanger, cutlass, bludgeon, or other offensive weapon, with intent to assault any person; or shall be found in or upon any dwelling-house, ware-house, stable, barn, coach-house, smoke-house or out-house, or in any enclosed yard or garden, or area belonging to any house, with an intent to steal any goods or chattels, then he or she shall be deemed and adjudged to be a disorderly person.

Disorderly persons may be apprehended without a warrant, and, on conviction, committed to the work-house.

3. *And be it enacted*, That it shall be the duty of every constable, and lawful for any other person, to apprehend, without warrant or process, any disorderly person of the description aforesaid, and to take him or her before any justice of the peace of the county, where apprehended; and it shall be the duty of the said justice to commit such disorderly person, when convicted before him, by the confession of the offender, or by the oath or affirmation of one or more witness or witnesses, to the work-house of the city, town or county, there to be kept at hard labor for any time not exceeding three calendar months.

Justices to issue process against disorderly persons.

4. *And be it enacted*, That it shall be the duty of every justice of the peace, of the proper county, to issue, on information, or his own view, his warrant or process to apprehend any disorderly person, within the intent and meaning of this act.

Treasurer of the State, to deposit in the Bank of the State and its several branches, all that portion of the public revenue of the United States, which he has received or which he may hereafter receive, as the portion of Alabama, in the following proportion: One fifth in the Bank of the State at Tuscaloosa, one fifth in the Branch Bank at Montgomery, one fifth in the Branch Bank at Mobile, one fifth in the Branch Bank at Decatur, and one fifth in the Branch Bank at Huntsville; taking therefor certificates of deposit, and all laws or parts of laws, contravening the provisions of this act, be and the same are hereby repealed: *Provided*, That the amount of the surplus revenue already received and which may hereafter be received, shall be deposited in said Bank and its Branches, in the above and foregoing proportions, on or before the first day of May next.

Approved June 30, 1837.

No. 11.]

AN ACT

To suppress the use of Bowie Knives.

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That if any person carrying any knife or weapon, known as Bowie Knives or Arkansas Tooth-picks, or either or any knife or weapon that shall in form, shape or size, resemble a Bowie Knife or Arkansas Tooth-pick, on a sudden rencounter, shall cut or stab another with such knife, by reason of which he dies, it shall be adjudged murder, and the offender shall suffer the same as if the killing had been by malice aforethought.

Sec. 2. *And be it further enacted*, That for every such weapon, sold or given, or otherwise disposed of in this State, the person selling, giving or disposing of the same, shall pay a tax of one hundred dollars, to be paid into the county Treasury; and if any person so selling, giving or disposing of such weapon, shall fail to give in the same in his list of taxable property, he shall be subject to the pains and penalties of perjury.

Approved June 30, 1837.

[No. 12.]

AN ACT

To enlarge the prison bounds in the different counties in this State:

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That the several sections of an act passed in the year 1824, requiring the Judge of the county court and commissioners of roads and revenue, to mark and lay out the bounds of prisoners, be and the same is hereby repealed; and that from and after the passage of this act, the bounds of the different counties shall be the limits within which prisoners confined for debt shall be restricted, on entering into bond, as now required by law, to keep within the prison bounds; and hereafter the plaintiffs in suits shall not be compelled to pay the sustenance and support of prisoners who take the benefit of the bounds.

Approved June 30, 1837.

[No. 13.]

AN ACT

For the relief of the purchasers of the Sixteenth Section, Township four, Range six, West, in the county of Lawrence and for other purposes.

Section 1. *Be it enacted by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That the President and Directors of the Branch of the Bank of the



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DEADLY WEAPONS.

AN ACT to guard and protect the citizens of this State, against the unwarrantable and too prevalent use of deadly weapons.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, it shall not be lawful for any merchant, or vender of wares or merchandize in this State, or any other person or persons whatsoever, to sell, or offer to sell, or to keep, or have about their person or elsewhere, any of the hereinafter described weapons, to wit: Bowie, or any other kind of knives, manufactured and sold for the purpose of wearing, or carrying the same as arms of offence or defence, pistols, dirks, sword canes, spears, &c., shall also be contemplated in this act, save such pistols as are known and used, as horse-man's pistols, &c.

SEC. 2. *And be it further enacted by the authority aforesaid,* That any person or persons within the limits of this State, violating the provisions of this act, except as hereafter excepted, shall, for each and every such offence, be deemed guilty of a high misdemeanor, and upon trial and conviction thereof, shall be fined, in a sum not exceeding five hundred dollars for the first offence, nor less than one hundred dollars at the direction of the Court; and upon a second conviction, and every after conviction of a like offence, in a sum not to exceed one thousand dollars, nor less than five hundred dollars, at the discretion of the Court.

SEC. 3. *And be it further enacted by the authority aforesaid,* That it shall be the duty of all civil officers, to be vigilant in carrying the provisions of this act into full effect, as well also as Grand Jurors, to make presentments of each and every offence under this act, which shall come under their knowledge.

SEC. 4. *And be it further enacted by the authority aforesaid,* That all fines and forfeitures arising under this act, shall be paid into the county Treasury, to be appropriated to county purposes: *Provided, nevertheless,* that the provisions of this act shall not extend to Sheriffs, Deputy Sheriffs, Marshals, Constables, Overseers or Patrols, in actual discharge of their respective duties, but not otherwise: *Provided, also,* that no person or persons, shall be found guilty of violating the before recited act, who shall openly wear, externally, Bowie Knives, Dirks, Tooth Picks, Spears, and which shall be exposed plainly to view: *And provided, nevertheless,* that the provisions of this act shall not extend to prevent venders, or any oth-

DEEDS.

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er persons who now own and have for sale, any of the aforesaid weapons, before the first day of March next.

SEC. 5. *And be it further enacted by the authority aforesaid,* That all laws and parts of laws militating against this act, be, and the same are, hereby repealed.

JOSEPH DAY,
Speaker of the House of Representatives,
ROBERT M. ECHOLS,
President of the Senate.

Assented to, 25th December, 1837.

GEORGE R. GILMER, Governor.

DEEDS.

AN ACT to admit certain Deeds to be recorded and read in evidence ; and also, to prescribe the effect of certain other Deeds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, all Deeds for lands which may have been recorded upon the usual proof of execution, but not recorded within the time prescribed by the laws of this State, shall be admitted in evidence, without further proof; and when the originals are lost or destroyed, and that being made judicially known to the Court, copies of the same may be introduced and read in evidence, on any trial before any Court of law or equity, in this State.

SEC. 2. *And be it further enacted by the authority aforesaid,* That all Deeds executed, according to the laws of this State, but not yet recorded, may nevertheless be recorded within twelve months from the passage of this act, upon the usual proof of their execution ; and when so recorded, the same or copies thereof, when the originals are shown to be lost or destroyed, may be read in evidence without further proof.

SEC. 3. *And be it further enacted by the authority aforesaid,* That all Deeds conveying lands hereafter executed upon being attested or proved in the manner required by the laws of this State, shall be admitted to record, at any time, and after being recorded, shall be received in evidence in any Court of Law or Equity, without further proof of the execution thereof.

SEC. 4. *And be it further enacted by the authority aforesaid,* That in all cases where two or more Deeds shall hereafter be executed by the same person or persons, conveying the same

to perform the duties enjoined on them by the second section of an act, passed at Nashville, the 19th of February, 1836, chapter XLVIII, that it shall be the duty of the several county surveyors to do and perform said services within their respective counties, and that said county surveyors shall be allowed the same fees, and be subject to the same penalties that said principal surveyors were entitled to, and liable for, in processioning said lands, and that said county surveyors shall return a plat and certificate of each tract so processioned by them to the entry taker of the county, who shall forthwith record the same in his survey book, for which services the said entry taker shall be allowed the same fees as for other services of the same kind, and that said several tracts of land shall be liable to attachment and final judgment for all expenses in processioning and recording the same.

JOHN COCKE,

Speaker of the House of Representatives.

TERRY H. CAHAL,

Speaker of the Senate.

Passed January 18th, 1836.

CHAPTER CXXXVII.

An Act to suppress the sale and use of Bowie Knives and Arkansas Tooth Picks in this State.

Knives not to be
sold or given
away

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That if any merchant, pedlar, jeweller, confectioner, grocery keeper, or other person or persons whatsoever, shall sell or offer to sell, or shall bring into this State, for the purpose of selling, giving or disposing of in any other manner whatsoever, any Bowie knife or knives, or Arkansas tooth picks, or any knife or weapon that shall in form, shape or size resemble a Bowie knife or any Arkansas tooth pick, such merchant, pedlar, jeweller, confectioner, grocery keeper, or other person or persons for every such Bowie knife or knives, or weapon that shall in form, shape or size resemble a Bowie knife or Arkansas tooth pick so sold, given or otherwise disposed of, or offered to be sold, given or otherwise disposed of, shall be guilty of a misdemeanor, and upon conviction thereof upon indictment or presentment, shall be fined in a sum not less than one hundred dollars, nor more than five hundred dollars, and shall be imprisoned in the county jail for a period not less than one month nor more than six months.

Not to be worn

SEC. 2. That if any person shall wear any Bowie knife, Arkansas tooth pick, or other knife or weapon that shall in

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form, shape or size resemble a Bowie knife or Arkansas tooth pick under his clothes, or keep the same concealed about his person, such person shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than two hundred dollars, nor more than five hundred dollars, and shall be imprisoned in the county jail not less than three months and not more than six months.

SEC. 3. That if any person shall maliciously draw or attempt to draw any Bowie knife, Arkansas tooth pick, or any knife or weapon that shall in form, shape or size resemble a Bowie knife or Arkansas tooth pick, from under his clothes or from any place of concealment about his person, for the purpose of sticking, cutting, awing, or intimidating any other person, such person so drawing or attempting to draw, shall be guilty of a felony, and upon conviction thereof shall be confined in the jail and penitentiary house of this State for a period of time not less than three years, nor more than five years.

SEC. 4. That if any person carrying any knife or weapon known as a Bowie knife, Arkansas tooth pick, or any knife or weapon that shall in form, shape or size resemble a Bowie knife, on a sudden rencounter, shall cut or stab another person with such knife or weapon, whether death ensues or not, such person so stabbing or cutting shall be guilty of a felony, and upon conviction thereof shall be confined in the jail and penitentiary house of this State, for a period of time not less than three years, nor more than fifteen years.

SEC. 5. That this act shall be in force from and after the first day of March next. And it shall be the duty of the several judges of the circuit courts in this State to give the same in charge to the grand jury every term of the respective courts, and any civil officer who shall arrest and prosecute to conviction and punishment any person guilty of any of the offences enumerated in this act, shall be entitled to the sum of fifty dollars, to be taxed in the bill of costs, and the attorney general shall be entitled to a tax fee of twenty dollars in each case, when a defendant shall be convicted, and no prosecutor required on any presentment or indictment for any of the offences enumerated in this act.

JOHN COCKE,

Speaker of the House of Representatives.

TERRY H. CAHAL,

Speaker of the Senate.

Passed January 27th, 1838.

SEVENTY-SECOND SESSION.

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York, which is or may be designated by the common council of the city of New-York, by resolution or ordinance as the lamp district, to be collected according to law and applied towards the expense of lighting such parts of the city last mentioned; and also the further sum of one hundred and eighty-seven thousand one hundred and seventy-five dollars, by tax on the estates real and personal of the freeholders and inhabitants of and situated within the said city and county, to be collected according to law and applied towards defraying the deficiency in taxation in said city and county for the year one thousand eight hundred and forty-eight.

Deficiency in
taxes of
1848 \$187,-
185.

§ 2. This act shall take effect immediately.

Chap. 277.

AN ACT *authorising the board of supervisors of Columbia county to purchase a piece of land.*

Passed April 7, 1849.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

§ 1. The board of supervisors of the county of Columbia are hereby authorised and empowered to purchase and hold as a part of the county poor-house farm, a lot of land containing some four or five acres lying adjacent to said farm, and now owned by the heirs at law of John Macy, deceased, any law to the contrary notwithstanding.

A lot may be
purchased.

§ 2. This act shall take effect immediately.

Chap. 278.

AN ACT *to prevent the manufacture, use and sale of slung shot.*

Passed April 7, 1849.

The People of the State of New-York, represented in Senate and Assembly, do enact as follows :

§ 1. Any person who shall, within this state, hereafter manufacture or cause to be manufactured, or sell, or expose, or keep for sale or gift, or part with any instrument or weapon of the kind usually known as slung shot, or of any similar kinds shall be liable to indictment for misdemeanor, and on conviction, shall be punished by fine of not less than two hundred and fifty, nor over five hundred dollars, or by imprisonment in a county jail for not less than six months, nor over two years.

Punishment
for making
or selling
slung shot.

Indictment
for felony.

§ 2. Any person who shall, within this state, hereafter carry, or be found in the possession of, or use, or attempt to use, as against any other person, any instrument or weapon of the kind usually known as slung shot or of any similar kind, shall be liable to indictment for felony, and on conviction shall be punished by imprisonment in a state's prison for a term not less than one, nor more than five years.

Chap. 279.

AN ACT making an appropriation to the Buffalo Hospital of the sisters of charity.

Passed April 7, 1849, "three-fifths being present."

The People of the State of New-York, represented in Senate and Assembly, do enact as follows:

Appropriation of \$90,000.

§ 1. The sum of nine thousand dollars is hereby appropriated to the Buffalo hospital of the sisters of charity, to be paid out of the general fund as follows: five thousand dollars thereof on the first day of July, in the year one thousand eight hundred and forty nine, and four thousand dollars thereof on the first day of March, in the year one thousand eight hundred and fifty.

Money to be paid.

§ 2. The treasurer shall pay on the warrant of the comptroller the sums above specified in the manner and for the purpose provided by this act, to the officers of the said, "Buffalo Hospital of the sisters of charity" to be expended and used as hereinafter provided, and said officers shall make a report under oath to the legislature showing the expenditure thereof.

How to be applied.

§ 3. The above mentioned sum of five thousand dollars shall be applied and expended by the said "The Buffalo Hospital of the sisters of charity," in finishing, enlarging, repairing and furnishing the buildings and making the necessary and proper erections for the use of the said "The Buffalo Hospital of the sisters of charity."

Residue how to be used.

§ 4. The residue of said sum of nine thousand dollars hereby appropriated shall be used and appropriated by the said "Buffalo Hospital of the sisters of charity," in supporting and sustaining the Hospital institution established and conducted by such corporation.

§ 5. This act shall take effect immediately.

No. 36.—AN ACT PROHIBITING THE MANUFACTURE, SALE
AND USE OF SLUNG SHOT.

*It is hereby enacted by the General Assembly of the State of
Vermont, as follows :*

SEC. 1. Any person who shall, within this State, hereafter manufacture, or cause to be manufactured, or sell, expose or keep for sale or gift, or part with any instrument or weapon of the kind usually known as slung shot, or of any similar kinds, shall be deemed guilty of a misdemeanor, and be punished therefor by a fine, not exceeding five hundred dollars nor less than two hundred dollars, or by imprisonment in the county jail for a term not exceeding two years.

SEC. 2. Any person who shall, within this State, hereafter carry, or be found in the possession of, use or attempt to use, as against any other person, any instrument, or weapon, of the kind usually known as slung shot, or of any similar kinds, shall be deemed guilty of felony, and be punished therefor by imprisonment in the State prison for a term not exceeding five years.

SEC. 3. This act shall take effect from its passage.

Approved, November 12th, 1849.

No. 37.— AN ACT FOR SURVEYING AND ASCERTAINING THE
LINE BETWEEN THE TOWNS OF POWNAL AND STAMFORD.

*It is hereby enacted by the General Assembly of the State of
Vermont, as follows :*

SEC. 1. Nathan H. Bottum of Shaftsbury, Harmon Canfield of Arlington, and John S. Pettibone of Manchester, in the county of Bennington, are hereby appointed a committee to survey, make, and establish the line between the towns of Pownal and Stamford, in said county, agreeably to the charters of said towns: and they shall cause their doings to be recorded in the town clerk's office in each of said towns, within sixty days after they shall have completed their survey: and shall also present an account of their time and expenses, together with their claim for services, while employed in said service, to the selectmen of the said towns of Pownal and Stamford, who are authorized to audit the same, draw an order for one half of the amount on the treasurer of the town of Pownal, and the other

true lines of such land or flats continued to said commissioners' line: *and provided, also*, that so much of said wharf as shall extend beyond the line of low-water mark, shall be built on piles, which piles shall not be nearer to each other than six feet in the direction of the stream, and eight feet in a transverse direction, and that this grant shall in no wise impair the legal rights of any person. [*Approved by the Governor, April 15, 1850.*]

An Act in relation to the carrying of Slung Shot.

Chap 194.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECT. 1. Any person arrested upon the warrant of a magistrate, issued against him for any alleged offence against the laws of this Commonwealth, and any person committing any criminal offence against the laws of this Commonwealth, or any breach or disturbance of the public peace, who may, at the time of the commission of such offence, or breach or disturbance of the public peace, be arrested by any sheriff, deputy sheriff, constable, or police officer, in this State, and who shall, at the time of such arrest, be armed with any dangerous weapon, of the kind usually called slung shot, shall be punished by a fine not exceeding fifty dollars, or imprisonment in the common jail or house of correction for a term not exceeding one year.

Penalty, fine, or imprisonment.

SECT. 2. Any person who shall, within this State, hereafter manufacture, or cause to be manufactured, or sell, or expose for sale, any instrument or weapon of the kind usually known as slung shot, shall be punished therefor by a fine not less than fifty dollars, or by imprisonment in the common jail or house of correction, for a term not exceeding six months. [*Approved by the Governor, April 15, 1850.*]

Penalty for manufacturing slung shot, or causing them to be manufactured.

An Act to incorporate the Springfield Medical School.

Chap 195.

BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECT. 1. William B. Calhoun, Reuben A. Chapman, James M. Smith, their associates and successors, are hereby made a corporation, by the name of the Springfield Medical School, to be established in the town of Springfield, in the county of Hampden, with all the powers and privileges, and subject to all the duties, restrictions, and liabilities, set forth in the forty-fourth chapter of the Revised Statutes.

Corporators.

Powers and duties.
R. S. ch. 44.

1856.

otherwise appropriated, which shall go into the common fund of said Society, to be expended, together with its other means, as it shall deem proper, in accomplishing the object of this institution as herein set forth: *Provided*, That each division of the State shall be entitled to its equal proportion of such publications as may be made by this Society for general distribution.

To make by-
laws, &c.

§ 12. That the president and directors, any five of whom shall form a quorum for the transaction of business, may, from time to time, make such by-laws, rules, and regulations for their own government, and for the management of the affairs of the Society, as they may deem expedient, not contrary to the provisions of this charter, or the by-laws or regulations which the members may from time to time prescribe at their annual meetings.

Report to be
made to Legis-
lature.

§ 13. That it shall be the duty of the president and directors to make a report of the proceedings and condition of the Society at each annual meeting of its members held as above stated, and also a report to the Legislature at its biennial session, setting forth in full the manner in which its means have been employed, and the state of its finances.

Vacancies to
be filled.

§ 14. That in case of the death, resignation, or refusal to act of any officer, the board of officers shall have power to fill such vacancy, at a meeting only called for that purpose, who shall act until the next annual election.

§ 15. This act shall take effect from its passage.

Approved March 10, 1856.

CHAPTER 636.

AN ACT to prevent the selling and using of certain weapons.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Buying or sel-
ling certain wea-
pons unlawful.

§ 1. That any person or persons who may hereafter be found guilty of vending, buying, selling, or dealing in the weapons popularly known as colts, brass knuckles, slungshots, or any imitation or substitute therefor, shall forfeit and pay the sum of twenty-five dollars for each and every offense so committed—one-half thereof to be applied to the jury fund, the other to the prosecutor.

Penalty for us-
ing such wea-
pons.

§ 2. That should any person strike, beat, wound or bruise another, by using any of the above named weapons, he or they so offending shall forfeit and pay the sum of one hundred dollars to the party or person so struck, wounded or bruised, which party shall have his action at law in any Circuit Court of this Commonwealth; and in default of the payment thereof, said offender or offenders shall be

LAWS OF KENTUCKY.

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imprisoned in the city or county jail until all costs and damages are fully paid.

§ 3. Should any person be killed by the weapons aforesaid, or any one of them, or in any other way except in self-defense, the wife, if he have one, or heirs at law, if he has no wife, shall have an action against all such as were in anywise concerned in such killing, and recover such damages as a jury may deem right; and in default of the payment of such damages, the defendant or defendants may be imprisoned, as in other cases of trespass to the person.

§ 4. This act shall be given in charge to the grand juries of this Commonwealth.

Approved March 10, 1856.

1856.

Wife or heirs
of any person
killed by such
weapons may
have action a-
gainst slayer.

CHAPTER 637.

AN ACT relating to the late Keeper of the Penitentiary.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the Commissioners of the Sinking Fund be and they are hereby authorized and directed, in their final settlement with Newton Craig, late Agent and Keeper of the Penitentiary, to allow the said Craig a further credit for the sum of two thousand six hundred and eighty-six dollars and sixty-four cents, being one third of the net profits of said institution for the years 1844 and 1845; which sum is allowed to said Craig in full discharge of all claims, either in law or equity, which he, the said Craig, may have against the Commonwealth, growing out of his connection with the Penitentiary.

Appropriation
to N. Craig.

§ 2. This act to take effect from its passage.

Approved March 10, 1856.

CHAPTER 639.

AN ACT to repeal an act, approved 7 March, 1854, to regulate the appointment of Superintendent of Western Lunatic Asylum.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That an act, entitled, an act to regulate the appointment of Superintendent of the Western Lunatic Asylum at Hopkinsville, approved March 7th, 1854, be and the same is hereby repealed.

Session acts
1853-4, 63.

§ 2. That the provisions of article 3 of the Revised Statutes, entitled, "Lunatic Asylums," shall apply to and govern said asylum.

Rev. Stat. 401.

Approved March 10, 1856.

CHARTER

OF THE

CITY OF LEAVENWORTH.

AN ACT to incorporate Cities of the State of Kansas.
Be it enacted by the Legislature of the State of Kansas :

ARTICLE I.

SECTION 1. All cities or municipal corporations of not less than seven thousand inhabitants shall be governed by the provisions of this act. What cities to be governed by this act.

SEC. 2. All rights and privileges accrued under and by virtue of an Act of the Legislature of the Territory, or of the State of Kansas, before the day on which this act shall take effect, are hereby preserved to those persons or corporations to whom they may have accrued. Vested rights to be preserved.

SEC. 3. All acts and parts of acts heretofore enacted by the Legislature of the Territory, or of the State of Kansas, in conflict with this act, saving rights and privileges accrued, as in section second of this act set forth, are hereby repealed; *Provided*, That the recorder of such cities, heretofore elected and now in office, shall have, use, and exercise all powers, jurisdictions and authorities conferred by existing laws, until the term, for which he has been elected, shall have expired, and until the mayor, as provided by this act, shall have been elected and qualified. Acts repealed.

SEC. 4. The powers hereby granted shall be exercised by the mayor and council of such city, in the State of Kansas, as hereinafter set forth. Powers, how to be exercised.

SEC. 5. That each city or municipal corporation, organized under this act, shall be divided into four wards, respectively, named the first, second, third and fourth wards, and each ward shall contain as nearly as practicable, an area equal to each other. Wards.

SEC. 6. The corporate name of each city or municipal incorporation, organized under this act, shall be "The City of _____, of the State of Kansas," and all and every process whatever, affecting any city under this act, shall be served upon the mayor of said city, and in the absence of the mayor, upon the president or acting president of the council. Corporate name, and style of process.

SEC. 7. The council of each city or municipal incorporation, under this act, shall consist of twelve citizens of said city, who shall be qualified electors under the provisions of the Constitution of this State. City Council.

SEC. 8. There shall be elected at the time and in the manner herein after provided, for each city or municipal corporation, organized under this act, a mayor, a treasurer, a clerk, a marshal and eight councilmen. City Officers.

CITY OF LEAVENWORTH.

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SEC. 17. For bathing in the Missouri river or Three Mile Creek, at any point within or opposite the city limits, between sunrise and sunset, a fine not exceeding twenty dollars. Bathing in Missouri. Penalty.

SEC. 18. For any person dressing himself or herself in the garment of the opposite sex, and thus appearing in any of the streets, or public places in this city, a fine not exceeding fifty dollars. Dressing like opposite sex. Penalty.

SEC. 19. For keeping, harboring, or maintaining any female prostitute, knowing her to be such, a fine not exceeding fifty dollars. Harboring prostitutes. Penalty.

SEC. 20. For riding or driving across any bridge in this city faster than a walk, or driving any vehicle across any such bridge, with any wheel of such vehicle locked, or dragging any timbers, rock, or other material across, or otherwise injuring the same, a fine not less than one nor more than fifty dollars. Injury to bridges. Penalty.

SEC. 21. For riding, driving, or hitching any horse, ox, ass, mule, or other animal, on any sidewalk within the limits of this city, a fine not exceeding ten dollars. Riding, &c., on sidewalk. Penalty.

SEC. 22. For obstructing any of the crossings in this city, by stopping any team, horse, ass, mule or other animal thereon, and refusing to move the same, when requested so to do, by any officer or citizen, a fine not exceeding ten dollars. Obstructing crossings. Penalty.

SEC. 23. For carrying or having on his or her person in a concealed manner, any pistol, dirk, bowie knife, revolver, slung shot, billy, brass, lead or iron knuckles, or any other deadly weapon within this city, a fine not less than three nor more than one hundred dollars. Carrying concealed weapons. Penalty.

APPROVED March 28th, 1862.

No. 33.

AN ORDINANCE relating to Nuisances.

Be it ordained by the Mayor and Councilmen of the City of Leavenworth:

SECTION 1. If any person place in any street, alley, lane or other public place in this city, any animal or vegetable substance, filth, offal, or other matter, which is likely to become offensive, or unwholesome, or if any person shall allow such matter to remain on his premises in such manner as to become unwholesome or offensive to the neighborhood, he shall forfeit to the city not less than five nor more than fifty dollars for each and every offense, and five dollars in addition for every day he shall allow the same to remain after notice to remove the same. Creating any nuisance in street, &c. Penalty.

SEC. 2. If any person shall permit any cellar, vault, private drain, pool of water, privy, or grounds, upon any premises belonging to or occupied by him, to become nauseous, foul, offensive, or injurious to the public health, he shall be subject to a fine of not less than five nor more than fifty dollars for each and every offense and a like fine for every day such nuisance shall continue after notice to remove and abate the same. Nuisance on ones premises. Penalty.

SEC. 3. The owner or possessor of any dumb animal, which may die within this city, shall within twenty-four hours thereafter, cause the carcass to be removed beyond the city limits, under a penalty of five dollars for every additional twenty-four hours he shall allow the same to remain. Dead animals. Penalty.

SEC. 4. The owner or occupant of any livery or other stable within this city, shall keep his stable and stable yard cleanly, and shall not permit more than two cart loads of manure to accumulate on or near the same, at any one time between the first day of May and the first day of



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TITLE 5
 offences.
 15 Barb.,
 541; 2
 Johns. R.,
 407.

prison for life, who shall take any money, or property of another, or any gratuity or reward, or any engagement or promise therefor, upon any agreement or understanding, express or implied, to compound, or conceal any such crime, or to abstain from any prosecution therefor, or to withhold any evidence thereof, shall, upon conviction, be punished by imprisonment in a state prison not exceeding five years, or in a county jail not exceeding one year.

Id., certain
 felonies.
 15 Barb.,
 543; 58
 Barb., 168.

§ 18. Every person having a knowledge of the actual commission of any offence punishable by imprisonment in a state prison for any other term than for life, who shall take any money, or property of another, or any gratuity or reward, or any engagement or promise therefor, upon any agreement or understanding, express or implied, to compound or conceal any such crime, or to abstain from any prosecution therefor, or to withhold any evidence thereof, shall, upon conviction, be punished by imprisonment in a state prison not exceeding three years, or in a county jail not exceeding six months.

Proof on
 trial.
 58 Barb.,
 168.

§ 19. Upon the trial of any indictment for any offence specified in the two last sections, it shall not be necessary to prove the conviction of any offender, for the offence in relation to which any agreement or understanding therein prohibited, shall have been made.

Crime
 against na-
 ture.

§ 20. Every person who shall be convicted of the detestable and abominable crime against nature, committed with mankind or with a beast, shall be punished by imprisonment in a state prison for a term not more than ten years.

[1 R. L., 408, § 3.]

L. 1866, Chap. 716—An act to prevent the furtive possession and use of slung-shot and other dangerous weapons.¹

Penalty for using or carrying concealed weapons, etc. SECTION 1. Every person who shall within this state use, or attempt to use or with intent to use against any other person, shall knowingly and secretly conceal on his person, or with like intent shall wilfully and furtively possess any instrument or weapon of the kind commonly known as slung-shot, billy, sand club or metal knuckles, and any dirk or dagger (not contained as a blade of a pocket knife), or sword-cane or air-gun, shall be deemed guilty of felony, and on conviction thereof may be punished by imprisonment in the state prison, or penitentiary or county jail, for a term not more than one year, or by a fine not exceeding five hundred dollars, or by both such fine and imprisonment.

Having in possession. § 2. The having possession of any of the weapons mentioned in the first section of this act by any other than a public officer, wilfully and secretly concealed on the person or knowingly and furtively carried thereon, shall be presumptive evidence of so concealing and possessing or carrying the same with the intent to use the same in violation of the provisions of this act.

[Section 3 repeals a former act.]

L. 1872, Chap. 747—An act for the suppression of the trade in and circulation of obscene literature, illustrations, advertisements and articles of indecent or immoral use, and obscene advertisements of patent medicines, and articles for producing abortion, and to repeal chapter four hundred and thirty of the laws of eighteen hundred and sixty-eight.

Penalty for selling or offering to sell, giving away, etc., any obscene book, picture, etc., or having same in possession. SECTION 1. If any person shall sell, or lend, or give

¹ See L. 1874, ch. 74, *ante*.



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THE
REVISED STATUTES
OF THE
STATE OF FLORIDA.

PREPARED UNDER AUTHORITY OF, AND ADOPTED BY,

THE LEGISLATURE OF THE STATE OF FLORIDA.

W. A. BLOUNT, C. M. COOPER, L. C. MASSEY,
COMMISSIONERS.

JACKSONVILLE, FLA.:
THE DACOSTA PRINTING AND PUBLISHING HOUSE,
CHAS. W. DACOSTA, PROP'R.
1892.

the State and engages in a fight with another person, without the limits thereof, shall be punished by imprisonment not exceeding six months, or by fine not exceeding five hundred dollars.

ARTICLE 4.

LIBEL AND DEFAMATION.

Ib.
Sub-chap. 7,
sec. 15.

2418. Punishment for libel.—Any person convicted of the publication of a libel shall be punished by imprisonment not exceeding one year, or by fine not exceeding one thousand dollars.

Libel defined.—Jones v. Greeley, 25 Fla., 629.

Chap. 8400, sec.
1, Jan. 30, 1883.

2419. Defamation.—Whoever speaks of and concerning any woman, married or unmarried, falsely and maliciously, imputing to her a want of chastity, shall be punished by imprisonment not exceeding one year, or by fine not exceeding five hundred dollars.

Chap. 1637, sub-
chap. 3, sec. 42,
Aug. 6, 1888.

2420. Threats to accuse another of crime.—Whoever, either verbally or by a written or printed communication, maliciously threatens to accuse another of any crime or offence, or by such communication maliciously threatens an injury to the person or property of another, with intent thereby to extort money or any pecuniary advantage whatever, or with intent to compel the person so threatened or any other person to do any act against his will, shall be punished by imprisonment in the State prison not exceeding ten years.

ARTICLE 5.

DEADLY WEAPONS.

Chap. 8020, sec.
1, Feb. 12, 1885.

2421. Carrying concealed weapons.—Whoever shall secretly carry arms of any kind on or about his person, or whoever shall have concealed on or about his person any dirk, pistol or other weapon, except a common pocket knife, shall be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars.

Partial concealment is a violation.—Sutton v. State, 12 Fla., 135.

Ib., sec. 2.

2422. Given in special charge to grand jury.—The circuit judges shall charge the grand juries specially upon the crime of carrying concealed weapons, and the State attorney shall receive a fee of ten dollars for each conviction therefor.

Chap. 1637, sub-
chap. 7, sec. 10,
Aug. 6, 1888.

2423. Persons engaged in criminal offence having weapons.—Whoever, when lawfully arrested while committing a criminal offence or a breach or disturbance of the public peace, is armed

or has on his person slung-shot, metallic knuckles, billies, fire-arms or other dangerous weapon, shall be punished by imprisonment not exceeding one year and by fine not exceeding fifty dollars.

2424. Officer to take possession of arms.—The officer making any arrest under the preceding sections shall take possession of any arms or weapons found upon the person arrested, and shall retain the same until after the trial of such person, and if he be convicted, said arms or weapons shall be forfeited and the sheriff shall sell the same at public sale and account for and pay over the proceeds thereof, as in the case of fines collected, but if such person be acquitted, the said arms or weapons shall be returned to him.

Chap. 3820, sec. 3, Feb. 12, 1885.

2425. Manufacturing or selling slung-shot.—Whoever manufactures, or causes to be manufactured, or sells or exposes for sale any instrument or weapon of the kind usually known as slung-shot, or metallic knuckles, shall be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars.

Chap. 1837, subchap. 7, sec. 11, Aug. 6, 1868.

CHAPTER IV.

OFFENCES AGAINST PROPERTY.

ARTICLE 1.—Arson. Sections	2426-2433
2.—Burglary and burglars' instruments. Sections	2434-2439
3.—Larceny and receiving stolen goods. Sections	2440-2453
4.—Embezzlement, receiving embezzled property, fraudulent conversions and like offences. Sections	2454-2464
5.—False pretenses, frauds, cheats, acts to injure and the like. Sections	2465-2475
6.—Illegal disposition of property on which another has a claim. Sections	2476-2478
7.—Forgery, counterfeiting and like offences. Sections	2479-2498
8.—Taking or using temporarily the property of another. Sections	2499, 2500
9.—Offences concerning wrecked or derelict property. Sections	2501-2503
10.—Illegal removing and impounding animals. Sections	2504, 2505
11.—Injury and cruelty to animals. Sections	2506-2513
12.—Trespass and injury to realty. Sections	2514-2526
13.—Burning woods. Section	2527
14.—Injuring and defacing buildings, structures, levees, mills, dams, bridges, etc., and other offences concerning property. Sections	2528-2543

ARTICLE I.

ARSON.

2426. Burning dwelling-house.—Whoever wilfully and maliciously burns the dwelling-house or any building adjoining

Chap. 1837, subchap. 4, sec. 1, Aug. 6, 1868.

any tenement in his possession or under his control, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than fifty nor more than five hundred dollars.

SEC. 7. Any person who shall, in this city, keep a bawdy-house, house of ill-fame or of assignation, or shall harbor, secrete, or permit any girl under the age of seventeen years to remain in such bawdy-house, house of ill-fame or of assignation, without immediately notifying the Chief of Police thereof, or who shall be known to be a frequenter of such house of assignation or house of ill-fame, or who shall be found an inmate of such house or houses, or shall knowingly permit any tenement in his possession or under his control to be used for any such purpose, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than one hundred dollars nor more than five hundred dollars.

Bawdy house,
etc.
Ibid, § 6.

SEC. 8. Any person who shall be guilty of sticking or putting up in any street, avenue or alley, or on any wall, fence or other public place in this city, any indecent or gross printed or written advertisement, bill or notice of his professional skill or remedies for the curing of venereal, or what are usually called secret diseases, or causing the same to be stuck or put up, or shall cause any such indecent or gross printed or written advertisement, either as a bill or circular, whether enclosed in an envelope or any other form, to be left in any yard or premises attached to any dwelling house, or to be put under the door, or to be given to any servant or other person in or about such dwelling house, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than fifty nor more than one hundred dollars.

Indecent advertisements.
Ibid, § 7.

SEC. 9. Hereafter it shall not be lawful for any person to wear under his clothes, or concealed about his person, any pistol, or revolver, colt, billy, slung shot, cross knuckles, or knuckles of lead, brass or other metal, bowie knife, razor, dirk knife, dirk, dagger, or any knife resembling a bowie knife, or any other dangerous or deadly weapon, within the City of St. Louis,

Concealed weapons.
Ibid, § 8.

without written permission from the Mayor; and any person who shall violate this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be fined not less than ten nor more than five hundred dollars for each and every offence.

Certain officers
may carry weap-
ons.
Ibid, § 9.

SEC. 10. Nothing in the preceding section shall be so construed as to prevent any United States, State, county or city officer, or any member of the city government, from carrying or wearing such weapons as may be necessary in the proper discharge of his duties.

Disturbing peace
on Sunday.
Ibid, § 10.

SEC. 11. Any person who shall, on Sunday, disturb the peace by any noisy, riotous or disorderly conduct, in any street or other public place, or in any place of public resort for amusement or other purposes, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than five nor more than fifty dollars.

Permitting dis-
turbance on
premises.
Ibid, § 12.

SEC. 12. Any keeper of a dram-shop, beer house or other place of public resort, who shall permit any breach of the peace or disturbance of public order and decorum, by noisy, riotous and disorderly conduct on his premises, when it was in his power to prevent it, or who shall sell any intoxicating drink to any person already intoxicated, shall be deemed guilty of a misdemeanor, and upon conviction thereof, be fined not less than twenty-five nor more than two hundred and fifty dollars.

Employing
"beer-jerkers."
Ibid, § 13.

SEC. 13. Any keeper of a dram-shop, beer-house, or other place of public resort, who shall employ a lewd woman, or any woman having the reputation of a prostitute, as a carrier of beer or any other article, either in the day or night time, or to sing or dance in a lewd or indecent manner, or to permit any such lewd woman to act as bar tender in any such house or place, shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined not less than fifty nor more than one hundred dollars.

Rag-pickers to
have permit.
Ibid, § 14.

SEC. 14. No person shall, without first procuring a permit from the Police Commissioners, engage in picking or gathering rags, paper, metal or other articles, and such person shall wear a badge or number, and be

ORDINANCES *etc.*

OF

JERSEY CITY, *n.*

PASSED BY THE

BOARD OF ALDERMEN

SINCE MAY 1, 1871,

UNDER THE ACT ENTITLED "AN ACT TO RE-ORGANIZE THE
LOCAL GOVERNMENT OF JERSEY CITY," PASSED
MARCH 31, 1871, AND THE SUPPLE-
MENTS THERETO.

PRINTED BY ORDER OF THE BOARD OF ALDERMEN.

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LIBRARY.
JERSEY CITY, N. J.

New York:

KENNARD & HAY STATIONERY M'FG AND PRINTING COMPANY,
89 Liberty Street.

1874.

A-67

AN ORDINANCE

TO PREVENT THE CARRYING OF LOADED OR CONCEALED WEAPONS WITHIN THE LIMITS OF JERSEY CITY. (SEE ORDINANCE APPROVED JUNE 20, 1873.)

The Mayor and Aldermen of Jersey City do ordain as follows:

SECTION 1. That it shall not be lawful for any person or persons (excepting policemen and private watchmen when on duty), within the corporate limits of Jersey City, to carry, have, or keep concealed on his or her person any instrument or weapon commonly known as slung-shot, billy, sand-club or metal knuckles, and any dirk or dagger (not contained as a blade of a pocket-knife), and loaded pistol or other dangerous weapon, under the penalty of not exceeding twenty dollars for each offense.

SEC. 2. That it shall not be lawful for any person or persons (excepting policemen and private watchmen when on duty), within the corporate limits of Jersey City, to carry or wear any sword in a cane, or air-gun, under the penalty of not exceeding twenty dollars for each offense.

SEC. 3. Any forfeiture or penalty arising under this ordinance may be recovered in the manner specified by the City Charter, and all persons violating any of the provisions aforesaid shall, upon conviction, stand committed until the same be paid.

SEC. 4. All ordinances in anywise inconsistent with this ordinance are hereby repealed.

Passed July 18, 1871.

GEO. H. FARRIER, *President.*

JOHN E. SCOTT, *City Clerk.*

Approved July 21, 1871.

CHAS. H. O'NEILL, *Mayor.*



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L A W S
OF THE
STATE OF MARYLAND.

MADE AND PASSED

AT A SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD AT THE
CITY OF ANNAPOLIS, ON THE THIRD DAY OF JANUARY, 1872,
AND ENDED ON THE FIRST DAY OF APRIL, 1872.

1872.



BALTIMORE:
PUBLISHED BY JOHN MURPHY & Co.

Publishers of the Maryland Code and Supplements, Maryland Reports, &c.

182 BALTIMORE STREET.

S. S. MILLS, AND L. F. COLTON, STATE PRINTERS.

1872.

WM. PINKNEY WHYTE, ESQUIRE, GOVERNOR. 57

SEC. 246. It shall not be lawful for any person to carry concealed, in Annapolis, whether a resident thereof or not, any pistol, dirk-knife, bowie-knife, sling-shot, billy, razor, brass, iron or other metal knuckles, or any other deadly weapon, under a penalty of a fine of not less than three, nor more than ten dollars in each case, in the discretion of the Justice of the Peace, before whom the same may be tried, to be collected as other fines and penalties are now collected; *provided*, the provisions of the section shall not apply to any officer of the law, either of the State or city, where any pistol or other weapon is a part of the prescribed outfit of said officer, *and provided further*, that either party, feeling aggrieved at the decision of said Justice of the Peace, shall have the right to appeal to the Circuit Court of Anne Arundel county.

SEC. 2. *And be it enacted*, That this Act shall take effect from the date of its passage.

Approved February 26, 1872.

CHARTER 43.

AN ACT to amend an Act, entitled "An Act to incorporate the President and Directors of the Maryland Fire Insurance Company of Baltimore," passed at January session, eighteen hundred and fifty-eight, by decreasing the capital stock and par value of the shares thereof, and by altering the mode of voting by the stockholders.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That the par value of the shares of the capital stock of the President and Directors of the Maryland Fire Insurance Company of Baltimore, be and the same is hereby reduced to five dollars per share, and the said Company may at any time hereafter increase its capital stock to the amount of two

Gilbert B. Colfield, Laws, Ordinances and Rules of Nebraska City, Otoe County, Nebraska Page 36, Image 36 (1872) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

Ordinance No. 7, An Ordinance Prohibiting the Carrying of Fire Arms and Concealed Weapons, § 1. Be it ordained by the Mayor and Councilmen of the City of Nebraska City, That it shall be, and it is hereby declared to be unlawful for any person to carry, openly or concealed, any musket, rifle, shot gun, pistol, sabre, sword, bowie knife, dirk, sword cane, billy slung shot, brass or other metallic knuckles, or any other dangerous or deadly weapons, within the corporate limits of Nebraska City, Neb; Provided, that nothing herein contained shall prevent the carrying of such weapon by a civil or military officer, or by a soldier in the discharge of his duty, nor by any other person for mere purposes of transportation from one place to another.



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"," Pennsylvania - General Assembly, Regular Session : 33-33

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" Pennsylvania - General Assembly, Regular Session 33

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" 1875 33

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L A W S

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF PENNSYLVANIA,

PASSED AT THE

SESSION OF 1873,

IN THE NINETY-NINTH YEAR OF INDEPENDENCE,

TOGETHER WITH

**A Proclamation by the Governor, declaring that he has filed certain
Bills in the Office of the Secretary of the Commonwealth,
with his objections thereto, and a List of Charters
of Corporations organized under general
corporation act of April 29, 1874.**

BY AUTHORITY.

HARRISBURG:
B. F. MEYERS, STATE PRINTER.
1875.

SESSION OF 1875.

33

No. 37.
AN ACT

To authorize the attorney general, auditor general and state treasurer, to settle all outstanding claims due for work done and material furnished the constitutional convention.

SECTION 1. *Be it enacted, &c.*, That the attorney general, auditor general and state treasurer are hereby authorized to settle with all persons having unsettled claims against the state on account of work done and material furnished for the constitutional convention, and the state treasurer is hereby authorized to pay all claims on warrants of the auditor general therefor, upon recommendation in writing from said board, including the claim of D. F. Murphy, stenographic reporter for the convention, if, upon examination, the same is found to be valid: *Provided*, That this act shall in no wise be so construed as to authorize the payment of any claim for advertising the new constitution.

APPROVED—The 18th day of March, A. D. 1875.

J. F. HARTRANFT.

No. 38.
AN ACT

To punish persons for carrying concealed weapons within this Commonwealth.

SECTION 1. *Be it enacted, &c.*, That any person within this commonwealth who shall carry any fire-arms, slung-shot, handy-billy, dirk-knife, razor or any other deadly weapon, concealed upon his person, with the intent therewith unlawfully and maliciously to do injury to any other person, shall be deemed guilty of a misdemeanor, and upon the conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate or solitary confinement not exceeding one year, or either or both, at the discretion of the court, and the jury trying the case may infer such intent as aforesaid, from the fact of the said defendant carrying such weapons in the manner as aforesaid.

APPROVED—The 18th day of March, A. D. 1875.

J. F. HARTRANFT.

THE
REVISED CODES
OF THE
TERRITORY OF DAKOTA.
A. D. 1877.

COMPRISING THE CODES AND GENERAL STATUTES PASSED AT THE TWELFTH
SESSION OF THE LEGISLATIVE ASSEMBLY, AND ALL OTHER
GENERAL LAWS REMAINING IN FORCE.

PUBLISHED AND EDITED BY
GEO. H. HAND,
SECRETARY OF DAKOTA.

BY AUTHORITY OF THE LEGISLATIVE ASSEMBLY.

YANKTON:
BOWEN & KINGSBURY, PUBLIC PRINTERS,
1877.

PENAL CODE.

AN ACT to Establish a Penal Code for the Territory of Dakota.

CHAPTER I.

PRELIMINARY PROVISIONS.

§ 1. TITLE OF ACT.] *Be it enacted by the Legislative Assembly of the Territory of Dakota,* That this act shall be known as the penal code of the Territory of Dakota.

§ 2. WHAT ACTS CRIMINAL.] No act or omission shall be deemed criminal or punishable except as prescribed or authorized by this code, or by some of the statutes which it specifies as continuing in force, or such laws as do not conflict with the provisions of this code.

§ 3. CRIME DEFINED.] A crime or public offense is an act or omission forbidden by law, and to which is annexed, upon conviction, either of the following punishments:

1. Death.
2. Imprisonment.
3. Fine.
4. Removal from office; or,
5. Disqualification to hold and enjoy any office of honor, trust or profit, under this territory.

§ 4. CRIMES DIVIDED.] Crimes are divided into:

1. Felonies.
2. Misdemeanors.

§ 5. FELONY DEFINED.] A felony is a crime which is, or may be, punishable with death, or by imprisonment in the territorial prison.

§ 6. MISDEMEANOR.] Every other crime is a misdemeanor.

§ 7. OBJECTS OF PENAL CODE.] This code specifies the classes of persons who are deemed capable of crimes, and liable to punishment therefor; and defines the nature of the various crimes; and prescribes the kind and measure of punishment to be inflicted for each. The manner of prosecu-

§ 454. DISPOSING OF TAINTED FOOD.] Every person who knowingly sells, or keeps, or offers for sale or otherwise disposes of any article of food, drink, drug or medicine knowing that the same has become tainted, decayed, spoiled or otherwise unwelcome or unfit to be eaten or drank, with intent to permit the same to be eaten or drank by any person or animal, is guilty of a misdemeanor.

§ 455. SLUNG SHOT.] Every person who manufactures or causes to be manufactured, or sells, or offers or keeps for sale, or gives or disposes of any instrument or weapon of the kind usually known as slung shot, or of any similar kind, is guilty of a misdemeanor.

§ 456. CARRYING OR USING SAME.] Every person who carries upon his person, whether concealed or not, or uses or attempts to use against another, any instrument or weapon of the kind usually known as slung shot or of any similar kind, is guilty of a felony.

§ 457. CONCEALED WEAPONS.] Every person who carries concealed about his person any description of fire-arms, being loaded or partly loaded or any sharp or dangerous weapon such as is usually employed in attack or defense of the person, is guilty of a misdemeanor.

§ 458. WILLFUL PRAIRIE FIRES.] Every person who shall willfully set on fire or cause to be set on fire any woods, marshes or prairie, with intention to injure the property of another, shall be deemed guilty of a misdemeanor, and shall be liable for all damages done by such fire.

§ 459. SAME BY NEGLIGENCE—DAMAGES.] Every person who negligently or carelessly sets on fire, or causes to be set on fire, any woods, marshes or prairies, or who, having set the same on fire, or caused it to be done, negligently or carelessly, or without full precaution or efforts to prevent, permits it to spread beyond his control, shall, upon conviction, be fined not exceeding one hundred dollars and not less than ten dollars, and shall be liable to injured parties for all damages occasioned thereby. One-half of such fine shall, when collected, go to the informer.

§ 460. REFUSING AID AT FIRES.] Every person who, at any burning of a building, is guilty of any disobedience to lawful orders of any public officer or fireman, or of any resistance to or interference with the lawful efforts of any fireman or company of firemen, to extinguish the same, or of any disorderly conduct calculated to prevent the same from being extinguished, or who forbids, prevents or dissuades others from assisting to extinguish the same, is guilty of a misdemeanor.

§ 461. UNLAWFUL FERRY.] Every person who maintains any ferry for profit or hire upon any waters within this territory, without authority of law, is punishable by a fine not exceeding twenty-five dollars for each time of crossing or running such ferry. Where such ferry is upon waters dividing two counties, the offender may be prosecuted in either.

§ 462. FERRY BOND.] Every person who, having entered into a bond or obligation, as provided by his ferry charter, or any general law on the subject of ferries, to keep and attend a ferry, violates the condition of such bond or obligation, is guilty of a misdemeanor.

§ 463. FAILURE TO RING LOCOMOTIVE BELL.] Every person in charge, as en-



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", " Illinois - 32nd General Assembly, 1st Session : 1-158

AGLC 4th ed.

" Illinois - 32nd General Assembly, 1st Session 1

OSCOLA 4th ed.

" 1881 1 Please note: citations are provided as a general guideline. Users should consult their preferred citation format's style manual for proper citation formatting.

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CRIMINAL CODE.

78

CRIMINAL CODE.

DEADLY WEAPONS.

REGULATES TRAFFIC AND PREVENTS SALE TO MINORS.

- | | |
|---|---|
| <p>§ 1. Forbids possession or sale of slung-shots or knuckles—penalty.</p> <p>§ 2. Forbids sale, loan or gift to minors, of fire-arms or other deadly weapons—penalty.</p> <p>§ 3. Provides for registry of sales by dealers in deadly weapons—Form of register—penalty for failure to keep same.</p> <p>§ 4. Penalty for carrying deadly weapons or display of same.</p> | <p>§ 5. Fines and penalties—how recovered—Increased penalty for second offense.</p> <p>§ 6. Exempts sheriffs, coroners, constables, policemen or peace officers from provisions of this act.</p> <p>§ 7. Repealing clause for acts in conflict.</p> <p>In force July 1, 1881.</p> |
|---|---|

AN ACT to regulate the traffic in deadly weapons, and to prevent the sale of them to minors.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly,* That whoever shall have in his possession, or sell, give or loan, hire or barter, or whoever shall offer to sell, give, loan, hire or barter, to any person within this state, any slung-shot or metallic knuckles, or other deadly weapon of like character, or any person in whose possession such weapons shall be found, shall be guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten dollars (\$10) nor more than two hundred dollars (\$200).

§ 2. Whoever, not being the father, guardian or employer of the minor herein named, by himself or agent, shall sell, give, loan, hire or barter, or shall offer to sell, give, loan, hire or barter to any minor within this state, any pistol, revolver, derringer, bowie knife, dirk or other deadly weapon of like character, capable of being secured upon the person, shall be guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 3. All persons dealing in deadly weapons, hereinbefore mentioned, at retail within this state shall keep a register of all such weapons sold or given away by them. Such register shall contain the date of the sale or gift, the name and age of the person to whom the weapon is sold or given, the price of the said weapon, and the purpose for which it is purchased or obtained. The said register shall be in the following form:

No. of weapon.	To whom sold or given.	Age of purchaser.	Kind and description of weapon.	For what purpose purchased or obtained.	Price of weapon.
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Said register shall be kept open for the inspection of the public, and all persons who may wish to examine the same may do so at all reasonable times during business hours. A failure to keep such register, or to allow an examination of the same, or to record

therein any sale or gift of a deadly weapon, or the keeping of a false register, shall be a misdemeanor, and shall subject the offender to a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 4. Whoever shall carry a concealed weapon upon or about his person of the character in this act specified, or razor as a weapon, or whoever, in a threatening or boisterous manner, shall display or flourish any deadly weapon, shall be guilty of a misdemeanor, and shall be fined in any sum not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200).

§ 5. All fines and penalties specified in this act may be recovered by information, complaint or indictment, or other appropriate remedy, in any court of competent jurisdiction; and, when recovered, shall be paid into the county treasury of the county where the conviction is had, and become a part of the current revenue of the county; or the said fines and penalties may be recovered by *qui tam* action, one-half to be paid to the informer, and the other half to be paid into the county treasury, as aforesaid. For a second violation of any of the provisions of this act the offender shall be fined in double the amount herein specified, or may be committed to the county jail for any term not exceeding twenty days, in the discretion of the court.

§ 6. Section four (4) of this act shall not apply to sheriffs, coroners, constables, policemen or other peace officers, while engaged in the discharge of their official duties, or to any person summoned by any of such officers to assist in making arrest, or preserving the peace, while such person so summoned is engaged in assisting such officer.

§ 7. All acts and parts of acts in conflict with this act are hereby repealed.

APPROVED April 16, 1881.

PENALTY FOR ADULTERATION OF BUTTER AND CHEESE.

§ 1. Manufacture of imitations or adulteration of butter and cheese prohibited—Penalty.

§ 2. Repealing clause.
In force July 1, 1881.

AN ACT to prevent the adulteration of butter and cheese, or the sale or disposal of the same, or the manufacture or sale of any article as a substitute for butter or cheese, or any article to be used as butter and cheese.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly, That whoever manufactures out of any oleaginous substances, or any compound of the same other than that produced from unadulterated milk, or cream from the same,*

ORDINANCES OF THE CITY OF SIOUX CITY.

61

obstruct or impede any member of the police force in the discharge of his duty.

SEC. 6. No person shall refuse to assist any policeman in making any arrest, when thereto lawfully required by any peace officer, police officer or policeman. ^{Refusing to assist an officer.}

SEC. 7. No person shall intentionally give, make, or cause to be given or made, any false alarm of fire. ^{False fire alarms.}

SEC. 8. No person shall ring or sound, or cause to be rung or sounded, in or upon, or near any street, avenue, alley or public place, or upon any piazza, porch, balcony, steps or platform, any bell, gong or other sounding instrument as a means of attracting people to any auction, store, hotel or any other business place. ^{Bell ringing.}

SEC. 9. No person shall make or excite any disturbance at any public meeting lawfully assembled, nor make any noise or disturbance for the purpose of annoying such meeting, or to cause a breach of the peace. ^{Disturbing public meetings.}

SEC. 10. Any person violating, failing or refusing to comply with any provision or requirement of any of the provisions of this ordinance, or of any section thereof, shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars or by imprisonment not exceeding thirty days. ^{Penalty.}

Passed this 9th day of June, 1882.

WM. Z. SWARTS, Mayor.

E. C. PETERS, City Clerk.

PUBLIC SAFETY.

AN ORDINANCE to provide for the public safety.

SEC. 1. *Be it ordained by the city council of the city of Sioux City,* That no person shall ride or drive, or cause to be ridden or driven, any animal in any street, avenue, alley, highway, thoroughfare or other public place faster than the rate of six miles per hour; or shall ride or drive, or cause to be ridden or driven, any such animal or any vehicle or other thing thereto attached, in such a manner as to come into collision with or strike any other object or person. ^{Immoderate riding and driving.}

SEC. 2. No person shall leave any animal used as a beast of burden, or to which any vehicle or other thing ^{Leaving animals unsecured.}

shall be attached, on any street, avenue, alley or other public place, without being securely fastened or guarded so as to prevent its running away; or turn any such animal loose on any such street, avenue, alley or other public place.

Cruelty to animals.

SEC. 3. No person shall inhumanly beat, injure or abuse any dumb animal, nor allow the same to be upon the public places of the city without food and drink for the space of four consecutive hours.

Concealed weapons.

SEC. 4. No person shall, within the limits of the city, wear under his clothes, or concealed about his person, any pistol, revolver, slung-shot, cross-knuckles, knuckles of lead, brass or other metal, or any bowie-knife, razor, billy, dirk, dirk-knife, or dagger, or any knife resembling a dirk-knife or bowie-knife, or other dangerous weapon. *Provided*, that this section shall not be so construed as to prevent any United States, State, county, or city officer or officers, or member of the city government, from carrying any such weapon as may be necessary in the proper discharge of his official duties.

Sports on streets.

SEC. 5. No person shall in any public place within the city, fly a kite, or indulge in any sport liable to frighten horses, or obstruct or interfere with the passage of vehicles or pedestrians.

Vehicles on sidewalks.

SEC. 6. No person shall push, draw, lead, or ride, or drive any horse, wagon, sleigh, wheelbarrow or other vehicle upon any sidewalk, unless it be in crossing the same to go into any yard or lot, which shall be done on a walk, or for the purpose of unloading such vehicle.

Driving upon sidewalks.

SEC. 7. No person shall drive upon and leave any carriage, wagon, cart, sleigh or other vehicle, with or without horses attached thereto, standing across or upon any sidewalk or crosswalk, or shall hitch any team so as to obstruct the free use of the same, nor drive any team through any funeral procession in such manner as to disturb the same.

Discharging fire arms.

SEC. 8. No person shall discharge any gun, pistol or other firearm, except upon his own premises, and there only in proper and necessary cases. *Provided*, that this section shall not apply nor be so construed to prevent any United States officer, State, county or city officer from

Quincy, S. J. Revised Ordinances of the City of Sioux City. Daily Journal Steam Printing House, 1882. The Making of Modern Law: Primary Sources, link.gale.com/apps/doc/DT0106134765/MMLP?u=blco98297&sid=bookmark-MMLP&pg=61. Accessed 29 Mar. 2023.



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, , 1882 421 .

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"," West Virginia - 15th Legislature, Adjourned Session : 421-424

AGLC 4th ed.

" West Virginia - 15th Legislature, Adjourned Session 421

OSCOLA 4th ed.

" 1882 421

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of his duty as such, or by any means obstruct or impede, or attempt to obstruct or impede the administration of justice in any court, he shall be guilty of a misdemeanor, and unless otherwise provided by law he shall be fined not less than twenty-five nor more than two hundred dollars, and be imprisoned in the county jail not exceeding six months.

Punishment
prescribed.

[Approved March 29, 1882.]

[NOTE BY THE CLERK OF THE HOUSE OF DELEGATES.]

The foregoing act takes effect at the expiration of ninety days after its passage.

CHAPTER CXXXV.

AN ACT amending and re-enacting section seven of chapter one hundred and forty-eight of the code of West Virginia, and adding additional sections thereto for the punishment of unlawful combinations and conspiracies to injure persons or property.

[Passed March 24, 1882.]

Be it enacted by the Legislature of West Virginia :

1. That section seven of chapter one hundred and forty-eight of the code of West Virginia be, and the same is hereby, amended and re-enacted so as to read as follows :

Code amended;
is section 7 of
chapter 148 of.

7. If a person carry about his person any revolver or other pistol, dirk, bowie knife, razor, slung shot, billy, metallic or other false knuckles, or any other dangerous or deadly weapon of like kind or character, he shall be guilty of a misdemeanor, and fined not less than twenty-five nor more than two hundred dollars, and may, at the discretion of the court, be confined in jail not less than one, nor more than twelve months; and if any person shall sell or furnish any such weapon as is hereinbefore mentioned to a person whom he knows, or has reason, from his appearance or otherwise, to believe to be under the age of twenty-one years, he shall be punished as hereinbefore provided; but nothing herein contained shall be so construed as to prevent any person from keeping or carrying about his dwelling house or premises any such revolver or other pistol, or from carrying the same from the place of purchase to his dwelling house, or from his dwelling house to any place where repairing is done, to have it repaired, and back again. And if upon the trial of an indictment for carrying any such pistol, dirk, razor or bowie knife, the

Deadly weap-
ons; penalty
for carrying.

Selling certain
weapons to
minors;
penalty.
Acts of persons
to which sec-
tions do not
apply.

Upon trial of
indictment for
carrying deadly

cealed weapons,
when jury to
find accused
not guilty.

Provisions of
section not to
apply to officers
of the law.

Additional
sections added.

Combinations or
conspiracies to
injure etc.,
persons and
property,
deemed a
misdemeanor.

Penalty.

Injury, etc.,
inflicted by such
combination,
etc., upon any
person or
property,
deemed a
felony.
Punishment.
When such
combination or
conspiracy to
be presumed.

Aiders and
abettors
deemed
conspirators.

No witness
excused from
answering,
because such
answers would,

defendant shall prove to the satisfaction of the jury that he is a quiet and peaceable citizen, of good character and standing in the community in which he lives, and at the time he was found with such pistol, dirk, razor or bowie knife, as charged in the indictment, he had good cause to believe and did believe that he was in danger of death or great bodily harm at the hands of another person, and that he was, in good faith, carrying such weapon for self defense and for no other purpose, the jury shall find him not guilty. But nothing in this section contained shall be so construed as to prevent any officer charged with the execution of the laws of the state from carrying a revolver or other pistol, dirk or bowie knife.

2. That the said chapter be and the same is hereby amended by adding thereto the following additional sections, as parts thereof, to-wit:

9. If two or more persons under the name of "Red Men," "Regulators," "Vigilance Committee," or any other name or without a name, combine or conspire together for the purpose of inflicting any punishment, or bodily injury upon any other person, or persons, or for the purpose of destroying, injuring, or taking and carrying away any property, real or personal, not their own, every such person, whether he has done any act in pursuance of such combination or conspiracy or not, shall be guilty of a misdemeanor and fined not less than fifty, nor more than five hundred dollars, and may, at the discretion of the court, be confined in jail not less than one, nor more than twelve months.

10. If any person, in pursuance of such combination or conspiracy as is mentioned in the next preceding section, shall inflict any punishment or bodily injury upon another person, or shall destroy, injure, or take and carry away, any property, real or personal, not his own, he shall be guilty of a felony, and confined in the penitentiary not less than two nor more than ten years. And if, on the trial of an indictment under this section it be proved that two or more persons, the defendant being one, were present, aiding and abetting in the commission of the offense charged therein, it shall be presumed that such offense was committed in pursuance of such combination or conspiracy, in the absence of satisfactory proof to the contrary. And all persons who shall be present, aiding and abetting, at the commission of any offense mentioned in this section shall be deemed conspirators within the meaning of this, and the next preceding section.

11. No person called as a witness for the state on the trial of any person for an offense mentioned in either of the two next preceding sections, shall be excused from answering any question which may be asked him as such

to be used as such food, drink, or medicine, is guilty of a misdemeanor.

New.

The slaughtering of a diseased cow to be sold for food is within the statute. (*People v. Goodrich*, 19 N. Y., 574; 3 Park., 622.) What are unwholesome meats, etc. (*State v. Norton*, 2 Iredell; 40; *Hunter v. State*, 1 Head., 160; *State v. Smith*, 3 Hawkes, 378.)

On trial of an indictment for selling unwholesome beef, the judge refused to charge that if the jury found the meat was sold merely as an article of merchandise and not for consumption as food, defendant was not guilty. *Held*, not error. (*People v. Parker*, 38 N. Y., 85.)

§ 409. (Amended 1884.) **Making, selling, etc., dangerous weapons.**

— A person who manufactures, or causes to be manufactured, or sells or keeps for sale, or offers, or gives, or disposes of, any instrument or weapon of the kind usually known as slung-shot, billy, sand club or metal knuckles, or who, in any city in this state, without the written consent of a police magistrate, sells or gives any pistol or other fire-arm to any person under the age of eighteen years, is guilty of a misdemeanor.

Laws 1849, ch. 278, § 1; Laws 1866, ch. 716, § 1; Code Crim. Proc., § 56.

§ 410. (Amended 1884.) **Carrying, using, etc., certain weapons.**—

A person who attempts to use against another, or who, with intent so to use, carries, conceals or possesses any instrument or weapon of the kind commonly known as the slung-shot, billy, sand-club or metal knuckles, or a dagger, dirk or dangerous knife, is guilty of a felony. Any person under the age of eighteen years who shall have, carry or have in his possession in any public street, highway or place in any city of this state, without a written license from a police magistrate of such city, any pistol or other fire-arm of any kind, shall be guilty of a misdemeanor. This section shall not apply to the regular and ordinary transportation of fire-arms as merchandise, or for use without the city limits.

3 R. S., 937, § 38, Laws 1866, ch. 716, § 1.

What are concealed weapons within the statute. (*State v. West*, 6 Jones, 605; *Shadle v. State*, 34 Texas, 572; *Evans v. State*, 46 Ala., 88; *Owens v. State*, 31 id., 387.)

§ 411. **Possession, presumptive evidence.**— The possession, by any person other than a public officer, of any of the weapons specified in the last section, concealed or furtively carried on the person, is presumptive evidence of carrying, or concealing, or possessing, with intent to use the same in violation of that section.

3 R. S., 937, § 38; Laws 1866, ch. 716, § 1.

§ 412. Repealed in 1882.

Id.; *State v. Huntley*, 3 Iredell, 418.

§ 413. **Negligence in respect to fires.**— A person who negligently sets fire to his own woods, by means whereof the property of another is endangered, or who negligently suffers

Donnan, George R., and New York . Code of Criminal Procedure of the State of New York
New York . Penal Code of the State of New York. Annotated Code of Criminal
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MMLP&pg=699. Accessed 29 Mar. 2023.

PUBLIC ACTS
AND
JOINT AND CONCURRENT RESOLUTIONS
OF
THE LEGISLATURE
OF THE
STATE OF MICHIGAN.

PASSED AT THE
REGULAR SESSION OF 1887

WITH AN APPENDIX.



BY AUTHORITY.

LANSING:
THORP & GODFREY, STATE PRINTERS AND BINDERS.
1887.

State shall be preserved on file in that office, and a proper record thereof shall be made and kept.

Records of
license, etc.,
prima facie
evidence.

SEC. 10. The record of any license to marry, or of any marriage certificate, in any county clerk's office, or a certified copy thereof, shall be *prima facie* evidence in any court or proceedings in this State, with the same force and effect as if the original were produced, both as to the facts therein contained and as to the genuineness of the signatures thereto.

Acts repealed.

SEC. 11. All other acts and parts of acts which are inconsistent herewith are hereby repealed.

Approved May 31, 1887.

[No. 129.]

AN ACT to prevent the carrying of concealed weapons, and to provide punishment therefor.

Unlawful to
carry concealed
weapons.

SECTION 1. *The People of the State of Michigan enact*, That it shall be unlawful for any person, except officers of the peace and night-watches legitimately employed as such, to go armed with a dirk, dagger, sword, pistol, air-gun, stiletto, metallic knuckles, pocket-billie, sand-bag, skull-cracker, slung-shot, razor, or other offensive and dangerous weapon or instrument concealed upon his person.

Punishment
for violation.

SEC. 2. Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the county jail or the house of correction at Detroit not exceeding three months, or by both such fine and imprisonment, in the discretion of the court, and in addition thereto may be required to enter into recognizance with sufficient sureties in such sum as the court may order, not exceeding one thousand dollars, to keep the peace, and be of good behavior for a period not exceeding one year: *Provided*, The provision relative to the sentencing of prisoners to the Detroit House of Correction shall apply only to Wayne county.

Proviso.

Approved May 31, 1887.

[No. 130.]

AN ACT to amend section ten of chapter eleven of act number two hundred and forty-three of the public acts of eighteen hundred and eighty-one, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State."

Section
amended.

SECTION 1. *The People of the State of Michigan enact*, That section ten of chapter eleven of act number two hundred and forty-three of the public acts of eighteen hundred and eighty-one,

entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State," the same being section fourteen hundred and twenty-one of Howell's Annotated Statutes, be and the same is hereby amended so as to read as follows:

CHAPTER XI.

SECTION 10. If any overseer shall be employed more days in executing the several duties enjoined upon him by this act than he is assessed to work on the highways, he shall be paid for the excess at the rate of one dollar per day, and be allowed to retain the same out of any moneys that may come into his hands for delinquencies or commutations, or shall be paid out of the road and bridge fund in his road district.

Compensation
for extra work
by overseer.

Approved May 31, 1887.

[No. 131.]

AN ACT to amend an act entitled "An act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter ninety-seven of the compiled laws of eighteen hundred and seventy-one, and also act number ninety-four of the session laws of eighteen hundred and seventy-one, approved April twelve, eighteen hundred and seventy-one," approved April fifteen, eighteen hundred and seventy-three, by adding a new section thereto to stand as section twenty-three.

SECTION 1. *The People of the State of Michigan enact, That* an act entitled "An act to provide for the incorporation of mutual fire insurance companies and defining their powers and duties, and to repeal chapter ninety-seven of the compiled laws of eighteen hundred and seventy-one, and also act number ninety-four of the session laws of eighteen hundred and seventy-one, approved April twelve, eighteen hundred and seventy-one," approved April fifteen, eighteen hundred and seventy-three, the said act being chapter one hundred and thirty-two of Howell's Annotated Statutes, be and the same is hereby amended by adding a new section thereto, to stand as section twenty-three, and to read as follows:

Section added.

SEC. 23. Any mutual fire insurance company of this State, lawfully doing business at the time this section shall take effect, or organized under the act of which this is amendatory, may, at any time within two years next preceding the expiration of its charter, by a two-thirds vote of the members present at any annual meeting, or at any special meeting called for the purpose, determine to extend its corporate existence for a period not exceeding thirty years from the date of the expiration of its charter, and thereupon the corporate existence of said mutual fire insurance company shall be extended as so determined, and such deter-

Extension of
corporate ex-
istence.

THE MARYLAND CODE.

Public Local Laws,

CODIFIED BY

JOHN PRENTISS POE.

ADOPTED BY THE GENERAL ASSEMBLY OF MARYLAND
MARCH 14, 1888.

*Including also the Public Local Acts of the Session of 1888
incorporated therein.*

BY AUTHORITY OF THE



STATE OF MARYLAND.

VOLUME I,

CONTAINING ARTICLE 1, ALLEGANY COUNTY, TO ARTICLE 10,
DORCHESTER COUNTY.

BALTIMORE:
KING BROS., PRINTERS AND PUBLISHERS.
1888.

Burglary.

P. G. L., (1860,) art. 80, sec. 21. 1809, ch. 138, sec. 5.

27. Every person convicted of the crime of burglary, or as accessory thereto before the fact, shall restore the thing taken to the owner thereof, or shall pay him the full value thereof, and be sentenced to the penitentiary for not less than three nor more than ten years.

Robinson v. State, 53 Md. 151.

Ibid. sec. 22. 1809, ch. 138, sec. 5.

28. Every person, his aiders, abettors and counsellors, who shall be convicted of the crime of breaking a dwelling-house in the day-time, with intent to commit murder or felony therein, or breaking a storehouse, warehouse, or other out house, in the day or night, with an intent to commit murder or felony therein, shall be sentenced to the penitentiary for not less than two nor more than ten years.

Ibid.

Ibid. sec. 23. 1787, ch. 2, sec. 2. 1809, ch 138, sec. 5.

29. Every person convicted of the crime of breaking into any shop, storehouse, tobacco house, or warehouse, although the same be not contiguous to or used with any mansion house, and stealing from thence any money, goods or chattels, to the value of one dollar or upwards, or as being accessory thereto, shall restore the thing taken to the owner thereof, or shall pay him the full value thereof, and shall be sentenced to the penitentiary for not less than two nor more than ten years.

Ibid.

Concealed Weapons.

1886, ch. 375.

30. Every person, not being a conservator of the peace entitled or required to carry such weapon as a part of his official equipment, who shall wear or carry any pistol, dirk-knife, bowie-knife, slung-shot, billy, sand-club, metal knuckles, razor, or any other dangerous or deadly weapon of any kind whatsoever, (penknives excepted,) concealed upon or about his person; and every person who shall carry or wear any such weapon openly, with the intent or purpose of injuring any person, shall, upon

ART. 27.] CONSPIRACY—COUNTERFEITING—FORGERY. 469

conviction thereof, be fined not more than five hundred dollars, or be imprisoned not more than six months in jail or in the house of correction.

Conspiracy.

1884, ch. 206.

31. An agreement or combination by two or more persons, to do, or procure to be done, any act in contemplation or furtherance of a trade dispute between employers and workmen, shall not be indictable as a conspiracy, if such act, committed by one person, would not be punishable as an offence; nothing in this section shall affect the law relating to riot, unlawful assembly, breach of the peace, or any offence against any person or against property.

Counterfeiting and Forgery.

P. G. L., (1860,) art. 30, sec. 24. 1799, ch. 75. 1809, ch. 138, sec. 6.

32. Any person who shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging, altering or counterfeiting any deed, will, testament or codicil, bond, writing obligatory, bill of exchange, promissory note for the payment of money or property, endorsement or assignment of any bond, writing obligatory, bill of exchange, acquittance or receipt for money or property, or any acquittance or receipt either for money or property, with intention to defraud any person whomsoever, or shall utter or publish as true, any false, forged, altered or counterfeited deed, will, testament or codicil, bond, writing obligatory, bill of exchange, promissory note for the payment of money or property, or endorsement or assignment of any bond, writing obligatory, bill of exchange, promissory note, acquittance or receipt for money or property, shall be deemed a felon, and on being convicted thereof shall be sentenced to the penitentiary for not less than five nor more than ten years.

Bloomer v. State, 48 Md. 529. Bishop v. State, 55 Md. 141. Hawthorne v. State, 56 Md. 534. Bell v. State, 57 Md. 114. Brashears v. State, 58 Md. 565.

Ibid. sec. 25. 1809, ch. 138, sec. 8. 1821, chs. 150, 204. 1834, ch. 270, sec. 2.

33. If any person shall falsely make, forge or counterfeit, or cause to be falsely made, forged or counterfeited, or willingly aid or assist in falsely making, forging or counterfeiting, any com-



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" Oklahoma - 1st Regular Session 412-522

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THE
STATUTES OF OKLAHOMA

1890.

Compiled under the supervision and direction of Robert Martin,
Secretary of the Territory,

—BY—

WILL T. LITTLE, L. G. PITMAN and R. J. BARKER,

—FROM—

The Laws Passed by the First Legislative Assembly of the Territory.

GUTHRIE, OKLAHOMA:
THE STATE CAPITAL PRINTING CO.,
PUBLISHERS.
1891.

CRIMES AND PUNISHMENT.

495

(2430) § 6. Every person who, with intent to extort any money or other property from another, sends to any person any letter or other writing, whether subscribed or not, expressing or implying, or adapted to imply, any threat, such as is specified in the second section of this article, is punishable in the same manner as if such money or property were actually obtained by means of such threat. Chap. 25.
Sending threatening letter.

(2431) § 7. Every person who unsuccessfully attempts by means of any verbal threat such as is specified in the second section of this article, to extort money or other property from another is guilty of a misdemeanor. Attempting to extort money.

ARTICLE 47.—CONCEALED WEAPONS.

SECTION.

1. Prohibited weapons enumerated.
2. Same.
3. Minors.
4. Public officials, when privileged.
5. Arms, when lawful to carry.

SECTION.

6. Degree of punishment.
7. Public buildings and gatherings.
8. Intent of persons carrying weapons.
9. Pointing weapon at another.
10. Violation of certain sections.

(2432) § 1. It shall be unlawful for any person in the Territory of Oklahoma to carry concealed on or about his person, saddle, or saddle bags, any pistol, revolver, bowie knife, dirk, dagger, slung-shot, sword cane, spear, metal knuckles, or any other kind of knife or instrument manufactured or sold for the purpose of defense except as in this article provided. Prohibited weapons enumerated.

(2433) § 2. It shall be unlawful for any person in the Territory of Oklahoma, to carry upon or about his person any pistol, revolver, bowie knife, dirk knife, loaded cane, billy, metal knuckles, or any other offensive or defensive weapon, except as in this article provided. Same.

(2434) § 3. It shall be unlawful for any person within this Territory, to sell or give to any minor any of the arms or weapons designated in sections one and two of this article. Minors.

(2435) § 4. Public officers while in the discharge of their duties or while going from their homes to their place of duty, or returning therefrom, shall be permitted to carry arms, but at no other time and under no other circumstances: *Provided, however,* That if any public officer be found carrying such arms while under the influence of intoxicating drinks, he shall be deemed guilty of a violation of this article as though he were a private person. Public officials, when privileged.

(2436) § 5. Persons shall be permitted to carry shot-guns or rifles for the purpose of hunting, having them repaired, or for killing animals, or for the purpose of using the same in public muster or military drills, or while travelling or removing from one place to another, and not otherwise. Arms, when lawful to carry.

(2437) § 6. Any person violating the provisions of any one of the foregoing sections, shall on the first conviction be adjudged guilty of a misdemeanor and be punished by a fine of not less than twenty-five dollars nor more than fifty dollars, or by imprisonment in the county jail not to exceed thirty days or both at the discretion of the court. On the second and every subsequent con- Degree of punishment.

Chap. 25. viction, the party offending shall on conviction be fined¹ not less than fifty dollars nor more than two hundred and fifty dollars or be imprisoned in the county jail not less than thirty days nor more than three months or both, at the discretion of the court.

(2438) § 7. It shall be unlawful for any person, except a peace officer, to carry into any church or religious assembly, any school room or other place where persons are assembled for public worship, for amusement, or for educational or scientific purposes, or into any circus, show or public exhibition of any kind, or into any ball room, or to any social party or social gathering, or to any election, or to any place where intoxicating liquors are sold, or to any political convention, or to any other public assembly, any of the weapons designated in sections one and two of this article.

(2439) § 8. It shall be unlawful for any person in this Territory to carry or wear any deadly weapons or dangerous instrument whatsoever, openly or secretly, with the intent or for the avowed purpose of injuring his fellow man.

(2440) § 9. It shall be unlawful for any person to point any pistol or any other deadly weapon whether loaded or not, at any other person or persons either in anger or otherwise.

(2441) § 10. Any person violating the provisions of section seven, eight or nine of this article; shall on conviction, be punished by a fine of not less than fifty dollars, nor more than five hundred and shall be imprisoned in the county jail for not less than three not more than twelve months.

ARTICLE 48.—FALSE PERSONATION AND CHEATS.

SECTION.

1. False impersonation, punishment for.
2. False impersonation and receiving money.
3. Personating officers and others.
4. Unlawful wearing of grand army badge.
5. Fines, how paid.
6. Obtaining property under false pretenses.

SECTION.

7. False representation of charitable purposes.
8. Falsely representing banking corporations.
9. Using false check.
10. Holding mock auction.

Punishment for false impersonation.

(2442) § 1. Every person who falsely personates another, and in such assumed character, either:

First. Marries or pretends to marry, or to sustain the marriage relation toward another, with or without the connivance of such other person; or,

Second. Becomes bail or surety for any party, in any proceeding whatever, before any court or officer authorized to take such bail or surety; or,

Third. Subscribes, verifies, publishes, acknowledges or proves, in the name of another person, any written instrument, with intent that the same may be delivered or used as true; or,

Fourth. Does any other act whereby, if it were done by the person falsely personated, he might in any event become liable to any suit or prosecution, or to pay any sum of money, or to incur any charge, forfeiture or penalty, or whereby any benefit might accrue to the party personating, or to any other person.



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1893 231 .

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, , 1893 231 .

Chicago 17th ed.

"," Rhode Island - January Session : 231-232

AGLC 4th ed.

" Rhode Island - January Session 231

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" 1893 231

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ACTS AND RESOLVES

PASSED BY THE

GENERAL ASSEMBLY

OF THE

State of Rhode Island and Providence Plantations,

AT THE

JANUARY SESSION, 1893.

STATE OF RHODE ISLAND, ETC.,

OFFICE OF THE SECRETARY OF STATE, OCTOBER, 1893.

PROVIDENCE:

E. L. FREEMAN & SON, STATE PRINTERS.

1893.

JANUARY, 1893.

231

five hundred dollars, for the faithful discharge of the duties of his office: *Provided*, that no person shall act as a public weigher of coal or other merchandise of which he is either the buyer or seller, or in the sale whereof he has any interest.

SEC. 20. Every person who shall sell coal or other merchandise without its first being weighed by a public weigher, when the same shall be demanded by the purchaser, and procuring a certificate of such weight for the purchaser, shall be fined twenty dollars for each offence. Penalty.

SEC. 21. The sealers of the different towns and cities shall make an inventory of weights, measures and balances furnished by the state and the condition of the same, on a blank prepared for that purpose, in the month of October of each year, and shall forward the same to the state sealer of weights and measures. Inventory by town sealer.

SEC. 22. The different town councils of the several towns, and the board of aldermen of cities, may appoint, upon recommendation of their respective town or city sealers, one or more persons as deputy sealers of their town or city, who shall assist the said town or city sealer and, in the absence from duty of such town or city sealer, shall perform all the duties of town or city sealer as may be required of them for the time being. Deputy town sealer.

SEC. 23. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 24. This act shall take effect upon its passage.

CHAPTER 1180.

AN ACT PROHIBITING THE CARRYING OF CONCEALED WEAPONS.

Passed May 3,
1893.

It is enacted by the General Assembly as follows:

SECTION 1. No person shall wear or carry in this state any dirk, bowie knife, butcher knife, dagger, razor, sword in cane, air gun, billy, brass or metal knuckles, slung shot, pistol or fire arms of any description, or other weapons of like kind and description, Concealed weapons.

Certain exemp-
tions.

concealed upon his person: *Provided*, that officers or watchmen whose duties require them to make arrests or to keep and guard prisoners or property, together with the persons summoned by such officers to aid them in the discharge of such duties, while actually engaged in such duties, are exempted from the provisions of this act.

Penalty.

SEC. 2. Any person convicted of a violation of the provisions of section 1 shall be fined not less than twenty dollars nor more than two hundred dollars, or be imprisoned not less than six months nor more than one year.

Penalty when
charged with
other crimes.

SEC. 3. Whenever any person shall be arrested charged with any crime or misdemeanor, or for being drunk or disorderly, or for any breach of the peace, and shall have concealed upon his person any of the weapons mentioned in section 1, such person, upon complaint and conviction, in addition to the penalties provided in section 2, shall be subject to a fine of not less than five dollars nor more than twenty-five dollars, and the confiscation of the weapon so found.

SEC. 4. This act shall take effect from and after its passage.

CHAPTER 1181.

Passed May 9,
1893.

AN ACT IN RELATION TO THE ELECTION OF MEMBERS OF THE GENERAL ASSEMBLY.

It is enacted by the General Assembly as follows:

Adjournment of
certain elec-
tions.

SECTION 1. Whenever in any town not divided into voting districts there shall be no election of senator or representatives in the general assembly, or of any of them, at the first trial, the meeting held for such election shall stand adjourned to a date to be fixed by the electors at said meeting, but which shall be not less than three days from the date of such meeting, at which time the polls shall be reopened for the purpose of completing such election, with like adjournment therefrom, but no adjournment or adjournments shall exceed seven days from the first meeting.

The Charter of Oregon City, Oregon, Together with the Ordinances and Rules of Order Page 259, Image 261 (1898) available at The Making of Modern Law: Primary Sources. | Duke Center for Firearms Law

An Ordinance Providing for the Punishment of Disorderly Persons, and Keepers and Owners of Disorderly Houses, § 2. It shall be unlawful for any person to carry any sling shot, billy, dirk, pistol or any concealed deadly weapon or to discharge any firearms, air gun, sparrow gun, flipper or bean shooter within the corporate limits of the city, unless in self-defense, in protection of property or an officer in the discharge of his duty; provided, however, permission may be granted by the mayor to any person to carry a pistol or revolver when upon proper representation it appears to him necessary or prudent to grant such permission.



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ALWD 7th ed.

, , 1908 vol. I 242 .

Chicago 17th ed.

," New York - 131st Legislature, Regular Session : 242-243

AGLC 4th ed.

" New York - 131st Legislature, Regular Session 242

OSCOLA 4th ed.

" 1908 vol I 242

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LAWS
OF THE
STATE OF NEW YORK,
PASSED AT THE
ONE HUNDRED AND THIRTY-FIRST SESSION
OF THE
LEGISLATURE,

BEGUN JANUARY FIRST, 1908, AND ENDED APRIL
TWENTY-THIRD, 1908, IN THE CITY OF ALBANY,
AND INCLUDING EXTRAORDINARY SESSION,
BEGUN MAY ELEVENTH, 1908, AND
ENDED JUNE ELEVENTH, 1908.

VOL. I.



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1908

or commission of said notary public or commissioner of deeds, or by reason of omission or failure to take the prescribed oath of office within the time required by law, or by reason of such persons being under the age of twenty-one years, or by reason of the expiration of the term of office of such notaries public or commissioners of deeds, where such notary public or commissioner of deeds has acted in good faith, upon payment being made by such notary public or commissioner of deeds of the legal fees for holding such office, are hereby legalized and confirmed and made effectual and valid, as the official acts of a notary public or commissioner of deeds legally qualified to perform the same, as fully as if neither of the various errors, omissions, matters and conditions hereinabove enumerated had occurred or existed.

§ 2. Nothing in this act contained shall affect any legal action or proceeding pending at the time this act takes effect.

§ 3. This act shall take effect immediately.

Chap. 93.

AN ACT to amend the penal code, relative to the carrying and possession of dangerous weapons, and the issuing of licenses therefor.

Became a law, April 8, 1908, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section four hundred and ten of the penal code, is hereby amended to read as follows:

§ 410. Carrying, et cetera, dangerous weapons.—A person who attempts to use against another, or who carries, or possesses any instrument or weapon of the kind commonly known as a slung-shot, billy, sandclub or metal knuckles, or who with intent to use the same against another, carries or possesses a dagger, dirk or dangerous knife is guilty of a felony. Any person under the age of sixteen years, who shall have, carry or have in his possession in any public place any of the articles named or described in the last section which it is forbidden therein to offer, sell, loan, lease or give to him, shall be guilty of a misdemeanor. Any person over the age of sixteen years, who shall have or carry concealed upon

his person in any city, village or town of this state, any pistol, revolver or other firearm without a written license therefor, theretofore issued to him by a police magistrate of such city or village or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance of such city, village or town shall be guilty of a misdemeanor. No person not a citizen of the United States, shall have or carry firearms or dangerous weapons in any public place at any time. This section shall not apply to the regular and ordinary transportation of firearms as merchandise, nor to sheriffs, policemen or to other duly appointed peace officers, nor to duly authorized military or civil organizations when parading, nor to the members thereof when going to and from the places of meeting of their respective organizations.

§ 2. This act shall take effect September first, nineteen hundred and eight.

Chap. 94.

AN ACT to amend chapter four hundred and seventy-one of the laws of eighteen hundred and seventy-nine, entitled "An act authorizing certain sums of money to be paid to prisoners, confined in the county penitentiaries, upon their discharge therefrom," relative to transportation to be furnished upon discharge.

Became a law, April 6, 1908, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of chapter four hundred and seventy-one of the laws of eighteen hundred and seventy-nine entitled "An act authorizing certain sums of money to be paid to prisoners, confined in the county penitentiaries, upon their discharge therefrom," is hereby amended to read as follows:

§ 1. It shall be the duty of the superintendent of a county penitentiary to furnish to each convict, male or female, who shall have been convicted of a felony, and imprisoned therein in pursuance of the provisions of statute, upon his or her discharge from the penitentiary, by pardon or otherwise, necessary clothing not exceeding



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," New York - 134th Legislature, Regular Session : 442-445

AGLC 4th ed.

" New York - 134th Legislature, Regular Session 442

OSCOLA 4th ed.

" 1911 vol I 442

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L A W S
OF THE
STATE OF NEW YORK,
PASSED AT THE
ONE HUNDRED AND THIRTY-FOURTH SESSION
OF THE
LEGISLATURE,

BEGUN JANUARY FOURTH, 1911, AND ENDED OCTOBER
SIXTH, 1911,

AT THE CITY OF ALBANY,

AND ALSO OTHER MATTERS REQUIRED BY LAW TO
BE PUBLISHED WITH THE SESSION LAWS.

VOL. I.



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1911

Chap. 195.

AN ACT to amend the penal law, in relation to the sale and carrying of dangerous weapons.

Became a law May 25, 1911, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

L. 1909,
ch. 88,
§§ 1896,
1897, 1899
amended.

Section 1. Sections eighteen hundred and ninety-six, eighteen hundred and ninety-seven and eighteen hundred and ninety-nine of chapter eighty-eight of the laws of nineteen hundred and nine, entitled "An act providing for the punishment of crime, constituting chapter forty of the consolidated laws," are hereby amended to read as follows:

§ 1896. **Making and disposing of dangerous weapons.** A person who manufactures, or causes to be manufactured, or sells or keeps for sale, or offers, or gives, or disposes of any instrument or weapon of the kind usually known as a blackjack,¹ slungshot, billy, sandclub, sandbag, bludgeon,² or metal knuckles, to any person; or a person who offers, sells, loans, leases, or gives any gun, revolver, pistol or other firearm or any airgun, spring-gun or other instrument or weapon in which the propelling force is a spring or air or any instrument or weapon commonly known as a toy pistol or in or upon which any loaded or blank cartridges are used, or may be used, or any loaded or blank cartridges or ammunition therefor, to any person under the age of sixteen years, is guilty of a misdemeanor.

§ 1897. **Carrying and use of dangerous weapons.** A person who attempts to use against another, or who carries, or possesses, any instrument or weapon of the kind commonly known as a blackjack,¹ slungshot, billy, sandclub, sandbag,² metal knuckles or bludgeon,² or who, with intent to use the same unlawfully³ against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any other dangerous or deadly instrument or weapon,⁴ is guilty of a felony.

¹ Word "blackjack" new.

² Words "sandbag, bludgeon" new.

³ Word "unlawfully" new.

⁴ Words "razor, stiletto, or any other dangerous or deadly instrument or weapon," new.

Any person under the age of sixteen years, who shall have, carry, or have in his possession,⁵ any of the articles named or described in the last section, which it is forbidden therein to offer, sell, loan, lease or give to him, shall be guilty of a misdemeanor.

⁶Any person over the age of sixteen years, who shall have in his possession in any city, village or town of this state, any pistol, revolver or other firearm of a size which may be concealed upon the person, without a written license therefor, issued to him by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be *prescribed by ordinance in such city, village or town, shall be guilty of a misdemeanor.

Any person over the age of sixteen years, who shall have or carry concealed upon his person in any city, village, or town of this state, any pistol, revolver, or other firearm without a written license therefor, theretofore issued to him by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance of such city, village or town, shall be guilty of a felony.⁷

⁸Any person not a citizen of the United States, who shall have or carry firearms, or any dangerous or deadly weapons in any public place, at any time, shall be guilty of a felony. This section shall not apply to the regular and ordinary transportation of firearms as merchandise, nor to sheriffs, policemen, or to other duly appointed peace officers, nor to duly authorized military or civil organizations, when parading, nor to the members thereof when going to and from the places of meeting of their respective organizations.

§ 1899. **Destruction of dangerous weapons.** The unlawful⁹ carrying of a pistol, revolver, or other firearm¹⁰ or of an instrument or weapon of the kind usually known as blackjack, bludgeon,¹¹ slung-shot, billy, sandclub, sandbag,¹² metal knuckles, or of a dagger,

* So in original.

⁵ Words "in any public place" omitted.

⁶ Following sentence new.

⁷ Formerly "misdemeanor."

⁸ Following sentence formerly read: "No person not a citizen of the United States, shall have or carry firearms or dangerous weapons in any public place at any time."

⁹ Word "unlawful" new.

¹⁰ Words "or other firearm" new.

¹¹ Words "blackjack, bludgeon" new.

¹² Word "sandbag" new.

dirk, dangerous knife, or any other dangerous or deadly weapon,¹³ by any person save a peace officer, is a nuisance, and such weapons are hereby declared to be nuisances, and when any one or more of the above described instruments or weapons shall be taken from the possession of any person the same shall be surrendered to the sheriff of the county wherein the same shall be taken, except that in cities of the first class the same shall be surrendered to the head of the police force or department of said city. The officer to whom the same may be so surrendered shall, except upon certificate of a judge of a court of record, or of the district attorney, that the nondestruction thereof is necessary or proper in the ends of justice, proceed at such time or times as he deems proper, and at least once in each year, to destroy or cause to be destroyed any and all such weapons or instruments, in such manner and to such extent that the same shall be and become wholly and entirely ineffective and useless for the purpose for which destined and harmless to human life or limb.

§ 1914
added.

§ 2. Such chapter is hereby amended by adding at the end of article one hundred and seventy-two thereof a new section to be section nineteen hundred and fourteen and to read as follows:

§ 1914. Sale of pistols, revolvers and other firearms. Every person selling a pistol, revolver or other firearm of a size which may be concealed upon the person whether such seller is a retail dealer, pawnbroker or otherwise, shall keep a register in which shall be entered at the time of sale, the date of sale, name, age, occupation and residence of every purchaser of such a pistol, revolver or other firearm, together with the calibre, make, model, manufacturer's number or other mark of identification on such pistol, revolver or other firearm. Such person shall also, before delivering the same to the purchaser, require such purchaser to produce a permit for possessing or carrying the same as required by law, and shall also enter in such register the date of such permit, the number thereon, if any, and the name of the magistrate or other officer by whom the same was issued. Every person who shall fail to keep a register and to enter therein the facts required by this section, or who shall fail to exact the production of a permit to possess or carry such pistol, revolver or other firearm, if such permit is required by law, shall be guilty of a misdemeanor. Such register shall be open at all reasonable hours for

¹³ Words "or any other dangerous or deadly weapon," new. Words "without lawful permission, license or authority so to do," omitted.

the inspection of any peace officer. Every person becoming the lawful possessor of such a pistol, revolver or other firearm, who shall sell, give or transfer the same to another person without first notifying the police authorities, shall be guilty of a misdemeanor. This section shall not apply to wholesale dealers.

§ 3. This act shall take effect September first, nineteen hundred and eleven. In effect
Sept. 1,
1911.

Chap. 196.

AN ACT to amend chapter fifty-two, laws of nineteen hundred and nine, entitled "An act relating to real property, constituting chapter fifty of the consolidated laws," in relation to officers taking acknowledgments.

Became a law May 20, 1911, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section three hundred and ten of chapter fifty-two of the laws of nineteen hundred and nine, entitled "An act relating to real property, constituting chapter fifty of the consolidated laws," is hereby amended so as to read as follows: L. 1909 ch.
52, § 310
amended.

§ 310.¹ A certificate of acknowledgment or proof, made within the state, by a commissioner of deeds, justice of the peace, or, except as otherwise provided by law, by a notary public, does not entitle the conveyance to be read in evidence or recorded, except within the county in which the officer making the same is authorized to act² at the time of making such certificate, unless authenticated by a certificate of the clerk of the same county; provided, however, that all certificates of acknowledgments or proof, made by or before a commissioner of deeds of the city of New York residing in any part therein, shall be authenticated by the³ clerk of any county within said city, in whose office such commissioner of deeds shall have filed a certificate under the hand and seal of the city clerk of said city, showing the appointment and

¹ Section heading amended out.

² Words "making the same is authorized to act" substituted for word "resides."

³ Words "city clerk of said city, that the said commissioner of deeds was duly appointed and qualified as such," omitted.



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, , 1913 vol. III 1627 .

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", " New York - 136th Legislature, Regular Session : 1627-1630

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" New York - 136th Legislature, Regular Session 1627

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LAWS
OF THE
STATE OF NEW YORK,
PASSED AT THE
ONE HUNDRED AND THIRTY-SIXTH SESSION
OF THE
LEGISLATURE,
BEGUN JANUARY FIRST, 1913, AND ENDED MAY
THIRD, 1913,
ALSO CHAPTERS 794-800 PASSED AT THE EXTRAORDI-
NARY SESSION, BEGUN JUNE 16, 1913,
AT THE CITY OF ALBANY,
AND ALSO OTHER MATTERS REQUIRED BY LAW TO
BE PUBLISHED WITH THE SESSION LAWS.

VOL. III.



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1913

¹ Where a male person of the age of sixteen years and under the age of eighteen years has been convicted of juvenile delinquency or of a misdemeanor, the trial court may, instead of sentencing him to imprisonment in a state prison or in a penitentiary, direct him to be confined in a house of refuge established by the managers of the society for the reformation of juvenile delinquents in the city of New York; under the provisions of the statute relating thereto. Where a female person not over the age of twelve years is convicted of a crime amounting to felony, or where a female person of the age of twelve years and not over the age of sixteen years is convicted of a crime, the trial court may, instead of sentencing her to imprisonment in a state prison or in a penitentiary, direct her to be confined in the New York State Training School for Girls, under the provisions of the statute relating thereto, but nothing in this section shall affect any of the provisions contained in section twenty-one hundred and ninety-four.

§ 2. All acts or parts of acts inconsistent with this act are hereby repealed.

§ 3. This act shall take effect immediately.

Chap. 608.

AN ACT to amend the penal law generally, in relation to the carrying, use and sale of dangerous weapons.

Became a law May 21, 1913, with the approval of the Governor. Passed, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section eighteen hundred and ninety-seven of chapter eighty-eight of the laws of nineteen hundred and nine, entitled "An act providing for the punishment of crime, constituting chapter forty of the consolidated laws," as amended by chapter one hundred and ninety-five of the laws of nineteen hundred and eleven, is hereby amended to read as follows:

L. 1909,
ch. 88,
§ 1897, as
amended by
L. 1911,
ch. 195,
amended.

§ 1897. Carrying and use of dangerous weapons. A person who attempts to use against another, or who carries, or possesses, any instrument or weapon of the kind commonly known as a blackjack,

¹ Following sentence new.

slungshot, billy, sandclub, sandbag, metal knuckles, bludgeon, bomb or bombshell,¹ or who, with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any other dangerous or deadly instrument or weapon, is guilty of a felony.

Any person under the age of sixteen years, who shall have, carry, or have in his possession, any of the articles named or described in the last section, which is forbidden therein to offer, sell, loan, lease or give to him, shall be guilty of a misdemeanor.

Any person over the age of sixteen years, who shall have in his possession in any city, village or town of this state, any pistol, revolver or other firearm of a size which may be concealed upon the person, without a written license therefor, issued to him² as hereinafter prescribed, shall be guilty of a misdemeanor.

Any person over the age of sixteen years, who shall have or carry concealed upon his person in any city, village, or town of this state, any pistol, revolver, or other firearm without a written license therefor,³ issued as hereinafter prescribed and licensing such possession and concealment, shall be guilty of a felony.

Any person not a citizen of the United States, who shall have or carry firearms, or any dangerous or deadly weapons in any place, at any time, shall be guilty of a felony,⁴ unless authorized by license issued as hereinafter prescribed.

⁵ It shall be the duty of any magistrate in this state to whom an application therefor is made by a commissioner of correction of a city or by any warden, superintendent or head keeper of any state prison, penitentiary, workhouse, county jail or other institution for the detention of persons convicted of or accused of crime, or offences, or held as witnesses in criminal cases, to issue to each of such persons as may be designated in such applications, and who is in the regular employ in such institution of the state, or of any county, city, town or village therein, a license authorizing such

¹ Inclusion of bomb and bombshell, new.

² Remainder of sentence formerly read: "by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance in such city, village or town, shall be guilty of a misdemeanor."

³ Remainder of sentence formerly read: "theretofore issued to him by a police magistrate of such city or village, or by a justice of the peace of such town, or in such manner as may be prescribed by ordinance of such city, village or town, shall be guilty of a felony."

⁴ Word "public" omitted.

⁵ Remainder of sentence new

⁶ Following paragraph new.

person to have and carry concealed a pistol or revolver while such person remains in the said employ.

^a It shall be the duty of any magistrate in this state, upon application therefor, by any householder, merchant, storekeeper or messenger of any banking institution or express company in the state, and provided such magistrate is satisfied of the good moral character of the applicant, and provided that no other good cause exists for the denial of such application, to issue to such applicant a license to have and possess a pistol or revolver, and authorizing him (a) if a householder, to have such weapon in his dwelling, and (b) if a merchant, or storekeeper, to have such weapon in his place of business, and (c) if a messenger of a banking institution or express company, to have and carry such weapon concealed while in the employ of such institution or express company.

^a In addition, it shall be lawful for any magistrate, upon proof before him that the person applying therefor is of good moral character, and that proper cause exists for the issuance thereof, to issue to such person a license to have and carry concealed a pistol or revolver without regard to employment or place of possessing such weapon, provided, however, that no such license shall be issued to any alien, or to any person not a citizen of and usually resident in the state of New York, except by a judge or justice of a court of record in this state, who shall state in such license the particular reason for the issuance thereof, and the names of the persons certifying to the good moral character of the applicant.

^a Any license issued in pursuance of the provisions of this section may be limited as to the date of expiration thereof and may be vacated and cancelled at any time by the magistrate, judge or justice who issued the same or by any judge or justice of a court of record. Any license issued in pursuance of this section and not otherwise limited as to place or time or possession of such weapon, shall be effective throughout the state of New York, notwithstanding the provisions of any local law or ordinance.

This section shall not apply to the regular and ordinary transportation of firearms as merchandise, nor to sheriffs, policemen, or to other duly appointed peace officers, nor to duly authorized military or civil organizations, when parading, nor to the members thereof when going to and from the place of meeting of their respective organizations.

^a So in original.

^a Following paragraph new.

§ 1914, as
added by
L. 1911,
ch. 106,
amended.

§ 2. Section nineteen hundred and fourteen of such chapter, as added by chapter one hundred and ninety-five of the laws of nineteen hundred and eleven, is hereby amended to read as follows:

§ 1914. Sale of pistols, revolvers and other firearms. ⁷No pistol, revolver or other firearms of a size which may be concealed upon the person, shall be sold, or given away, or otherwise disposed of, except to a person expressly authorized under the provisions of section eighteen hundred and ninety-seven of the penal law to possess and have such firearm.

⁷Any person selling or disposing of such firearm in violation of this provision of this section shall be guilty of a misdemeanor.

Every person selling a pistol, revolver or other firearm of a size which may be concealed upon the person, whether such seller is a retail dealer, pawnbroker, or otherwise, shall keep a register in which shall be entered at the time of sale, the date of sale, name, age, occupation and residence of every purchaser of such a pistol, revolver or other firearm, together with the calibre, make, model, manufacturer's number or other mark of identification on such pistol, revolver or other firearm. Such person shall also, before delivering the same to the purchaser, require such purchaser to produce a license⁸ for possessing or carrying the same, as required by law, and shall also enter in such register the date of such permit, the number thereof, if any, and the name of the magistrate or other officer by whom the same was issued. Every person who shall fail to keep a register and to enter therein the facts required by this section or who shall fail to exact the production of a permit to possess or carry such pistol, revolver or other firearm, if such permit is required by law, shall be guilty of a misdemeanor. Such register shall be open at all reasonable hours for the inspection of any peace officer. Every person becoming the lawful possessor of such a pistol, revolver or other firearm, who shall sell, give or transfer the same to another person without first notifying the police authorities, shall be guilty of a misdemeanor. This section shall not apply to wholesale dealers.

In effect
Sept. 1,
1913.

§ 3. This act shall take effect September first, nineteen hundred and thirteen.

⁷ Following sentence new.

⁸ Word "license" substituted for word "permit."



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" California - 42nd Session : 221-225

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" California - 42nd Session 221

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CHAPTER 145.

An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this state; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another.

[Approved May 4, 1917. In effect July 27, 1917.]

The people of the State of California do enact as follows:

SECTION 1. Every person who manufactures or causes to be manufactured, or leases, or keeps for sale, or offers, or gives, or otherwise disposes of any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, or metal knuckles, a dirk or dagger, to any person within this state is guilty of a misdemeanor, and if he has been previously convicted of a crime made punishable by this section, he is guilty of a felony.

Manufacture,
etc., of
certain
dangerous
weapons
misdemeanor.

SEC. 2. Every person who possesses any instrument or weapon of the kind commonly known as a blackjack, slungshot, billy, sandclub, sandbag, bludgeon, metal knuckles, bomb or bombshells, or who carries a dirk or a dagger, is guilty of a misdemeanor, and if he has been convicted previously of any felony or of a crime made punishable by this act, he is guilty of a felony.

Possession
of certain
dangerous
weapons
misdemeanor.

SEC. 3. Every person who carries in any city, city and county, town or municipal corporation of this state any pistol, revolver, or other firearm concealed upon his person, without having a license to carry such firearm as hereinafter provided in section six of this act, shall be guilty of a misdemeanor, and if he has been convicted previously of any felony, or of any crime made punishable by this act, he is guilty of a felony.

Carrying
firearm
without
license
misdemeanor.

SEC. 4. The unlawful possessing or carrying of any of the instruments, weapons or firearms enumerated in section one to section three inclusive of this act, by any person other than those authorized and empowered to carry or possess the same as hereinafter provided, is a nuisance, and such instruments, weapons or firearms are hereby declared to be nuisances, and when any of said articles shall be taken from the possession of any person the same shall be surrendered to the magistrate before whom said person shall be taken, except that in any city, city and county, town or other municipal corporation the same shall be surrendered to the head of the

Unlawful
possession
of weapon,
etc.,
nuisance.

Surrender
of weapons,
etc.

Destruction
of weapons,
etc.

police force, or police department thereof. The officers to whom the same may be so surrendered, except upon certificate of a judge of a court of record, or of the district attorney of any county that the preservation thereof is necessary or proper to the ends of justice, shall proceed at such time or times as he deems proper, and at least once in each year to destroy or cause to be destroyed such instruments, weapons or other firearms in such manner and to such extent that the same shall be and become wholly and entirely ineffectual and useless for the purpose for which it was manufactured.

Attempted
use of
weapon
felony.

SEC. 5. Any person who attempts to use, or who with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, or any loaded pistol, revolver or other firearm, or any instrument or weapon commonly known as a blackjack, slungshot, billy, sandclub, sandbag, metal knuckles, bomb, or bombshell or any other dangerous or deadly instrument or weapon, is guilty of a felony. The carrying or possession of any of the weapons specified in this section, by any person while committing, or attempting or threatening to commit a felony, or breach of the peace, or any act of violence against the person or property of another, shall be presumptive evidence of carrying or possessing such weapon with intent to use the same in violation of this section.

License to
carry
concealed
firearm.

SEC. 6. It shall be lawful for the board of police commissioners, chief of police, city marshal, town marshal, or other head of the police department of any city, city and county, town, or other municipal corporation of this state, upon proof before said board, chief, marshal or head, that the person applying therefor is of good moral character, and that good cause exists for the issuance thereof, to issue to such person a license to carry concealed a pistol, revolver or other firearm; *provided, however,* that the application to carry concealed such firearm shall be filed in writing and shall state the name and residence of the applicant, the nature of applicant's occupation, the business address of applicant, the nature of the weapon sought to be carried and the reason for the filing of the application to carry the same.

Register
of sales of
firearms.

SEC. 7. Every person in the business of selling, leasing or otherwise transferring a pistol, revolver or other firearm, of a size capable of being concealed upon the person, whether such seller, leasor or transferrer is a retail dealer, pawnbroker or otherwise, except as hereinafter provided, shall keep a register in which shall be entered the time of sale, the date of sale, the name of the salesman making the sale, the place where sold, the make, model, manufacturer's number, caliber or other marks of identification on such pistol, revolver or other firearm. Such register shall be prepared by and obtained from the state printer and shall be furnished by the state printer to said dealers on application at a cost of three dollars per one hundred leaves in duplicate and shall be in the form hereinafter provided. The purchaser of any firearm, capable of being

concealed upon the person shall sign, and the dealer shall require him to sign his name and affix his address to said register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signatures of the purchaser. Any person signing a fictitious name or address is guilty of a misdemeanor. The duplicate sheet of such register shall on the evening of the day of sale, be placed in the mail, postage prepaid and properly addressed to the board of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the city, city and county, town or other municipal corporation wherein the sale was made; *provided*, that where the sale is made in a district where there is no municipal police department, said duplicate sheet shall be mailed to the county clerk of the county wherein the sale is made. A violation of any of the provisions of this section by any person engaged in the business of selling, leasing or otherwise transferring such firearms is a misdemeanor. This section shall not apply to wholesale dealers in their business intercourse with retail dealers, nor to wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms as merchandise by mail, express or other mode of shipment, to points outside of the city, city and county, town or municipal corporation wherein they are situated. The register provided for in this act shall be substantially in the following form:

Duplicate
sheet
mailed to
police.

Violation
misdemeanor.

Series No. _____
Sheet No. _____

Form of
register.

ORIGINAL.

Dealers' Record of Sale of Revolver or Pistol.
State of California.

Notice to dealers: This original is for your files. If spoiled in making out, do not destroy. Keep in books. Fill out in duplicate.

Carbon duplicate must be mailed on the evening of the day of sale, to head of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the municipal corporations wherein the sale is made, or to the county clerk of your county if the sale is made in a district where there is no municipal police department. Violation of this law is a misdemeanor. Use carbon paper for duplicate. Use indelible pencil.

Sold by _____ Salesman _____
City, town or township _____
Description of arm (state whether revolver or pistol) _____
Maker _____ number _____ caliber _____
Name of purchaser _____ age _____ years.
Permanent residence (state name of city, town or township,
street and number of dwelling) _____
Height _____ feet _____ inches. Occupation _____
Color _____ skin _____ eyes _____ hair _____

If traveling or in locality temporarily, give local address-----

Signature of purchaser -----

(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)

Witness -----, salesman.

(To be signed in duplicate.)

Series No. -----

Sheet No. -----

DUPLICATE.

Dealers' Record of Sale of Revolver or Pistol. State of California.

Notice to dealers: This carbon duplicate must be mailed on the evening of the day of sale as set forth in the original of this register page. Violation of this law is a misdemeanor.

Sold by ----- Salesman -----

City, town or township -----

Description of arm (state whether revolver or pistol) -----

Maker ----- number ----- caliber -----

Name of purchaser ----- age ----- years.

Permanent address (state name of city, town or township, street and number of dwelling) -----

Height ----- feet ----- inches. Occupation -----

Color ----- skin ----- eyes ----- hair -----

If traveling or in locality temporarily, give local address-----

Signature of purchaser -----

(Signing a fictitious name or address is a misdemeanor.) (To be signed in duplicate.)

Witness -----, salesman.

(To be signed in duplicate.)

Exceptious,

SEC. 8. Nothing in this act shall be construed to apply to sheriffs, constables, marshals, policemen or other duly appointed peace officers, nor to any person summoned by any such officers to assist in making arrest or preserving the peace while said person so summoned is actually engaged in assisting such officer; nor to duly authorized military or civil organizations while parading nor to the members thereof when going to and from the places of meeting of their respective organizations; nor to the possession or transportation by any merchant of unloaded firearms as merchandise; nor to bona fide members of any club or organization now existing or hereinafter organized, for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using any of the firearms referred to in this act upon or in such target ranges, or while going to and from such ranges.

Constitution-
ality.

SEC. 9. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional

such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

CHAPTER 146.

An act amending an act entitled "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by adding thereto a new section to be numbered twenty-eight, providing for the exclusion from any county water district formed under said act of territory not served by such county water district.

[Approved May 4, 1917. In effect July 27, 1917.]

The people of the State of California do enact as follows:

SECTION 1. An act approved June 10, 1913, and entitled *Stats. 1913, p. 1049.*
 "An act to provide for the incorporation and organization and management of county water districts and to provide for the acquisition of water rights or the construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," is hereby amended by adding to said act a section numbered twenty-eight, reading as follows:

Sec. 28. Any territory, included within any county water district formed under the provisions of this act, and not benefited in any manner by such district, or its continued inclusion therein, may be excluded therefrom by order of the board of directors of such district upon the verified petition of the owner or owners in fee of lands whose assessed value, with improvements, is in excess of one-half of the assessed value of all the lands, with improvements, held in private ownership in such territory. Said petition shall describe the territory sought to be excluded and shall set forth that such territory is not benefited in any manner by said county water district or its continued inclusion therein, and shall pray that such territory may be excluded and taken from said district. Such petition shall be filed with the secretary of the water district and shall be accompanied by a deposit with such secretary of the sum of one hundred dollars, to meet the expenses of advertising and other costs incident to the proceedings for the

Exclusion of territory.

Petition.

Contents.



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AGLC 4th ed.
" California - 45th Regular Session 695

OSCOLA 4th ed.
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treasurer or the inheritance tax appraiser of the county of the superior court having jurisdiction as provided in section fifteen of this act.

(6) This act shall become effective and in force contemporaneously with the taking effect of amendments to sections one thousand four hundred one and one thousand four hundred two of the Civil Code, which amendments were enacted at the forty-fifth session of the legislature of the State of California and known as chapter eighteen of the statutes of 1923, and not otherwise.

Art takes
effect.

CHAPTER 338.

An act to add a new section to the Civil Code to be numbered three thousand fifty-one a, fixing a limit on the amount of a lien on property held under the provisions of section three thousand fifty-one of said code.

[Approved June 13, 1923.]

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the Civil Code to be numbered three thousand fifty-one a and to read as follows:

3051a. That portion of any lien, as provided for in the next preceding section, in excess of one hundred dollars, for any work, services, care, or safekeeping rendered or performed at the request of any person other than the holder of the legal title, shall be invalid, unless prior to commencing any such work, service, care, or safekeeping, the person claiming such lien shall give actual notice in writing either by personal service or by registered letter addressed to the holder of the legal title to such property, if known. In the case of automobiles, the person named as legal owner in the registration certificate, shall be deemed for the purpose of this section, as the holder of the legal title.

Limitation
on amount
recoverable
where
written
notice not
given.

CHAPTER 339.

An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this state; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to

authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter one hundred forty-five of California statutes of 1917, relating to the same subject.

[Approved June 13, 1923.]

The people of the State of California do enact as follows:

Manufacture,
sale, carry-
ing, etc.,
certain
dangerous
weapons
prohibited.

SECTION 1. On and after the date upon which this act takes effect, every person who within the State of California manufactures or causes to be manufactured, or who imports into the state, or who keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any instrument or weapon of the kind commonly known as a blackjack, slung-shot, billy, sandclub, sandbag, or metal knuckles, or who carries concealed upon his person any explosive substance, other than fixed ammunition, or who carries concealed upon his person any dirk or dagger, shall be guilty of a felony and upon a conviction thereof shall be punishable by imprisonment in a state prison for not less than one year nor for more than five years.

Aliens and
felons must
not possess
certain
firearms.

SEC. 2. On and after the date upon which this act takes effect, no unnaturalized foreign born person and no person who has been convicted of a felony against the person or property of another or against the government of the United States or of the State of California or of any political subdivision thereof shall own or have in his possession or under his custody or control any pistol, revolver or other firearm capable of being concealed upon the person. The terms "pistol," "revolver," and "firearms capable of being concealed upon the person" as used in this act shall be construed to apply to and include all firearms having a barrel less than twelve inches in length. Any person who shall violate the provisions of this section shall be guilty of a felony and upon conviction thereof shall be punishable by imprisonment in a state prison for not less than one year nor for more than five years.

Committing
felony while
carrying
dangerous
weapon.

SEC. 3. If any person shall commit or attempt to commit any felony within this state while armed with any of the weapons mentioned in section one hereof or while armed with any pistol, revolver or other firearm capable of being concealed upon the person, without having a license or permit to carry such firearm as hereinafter provided, upon conviction of such felony or of an attempt to commit such felony, he shall in addition to the punishment prescribed for the crime of which he has been convicted, be punishable by imprisonment in a state prison for not less than five nor for more than ten years. Such additional period of imprisonment shall commence upon the expiration or other termination of the sentence imposed for the crime of which he stands convicted and shall not run concurrently with such sentence. Upon a second conviction under like circumstances such additional period of impris-

onment shall be for not less than ten years nor for more than fifteen years, and upon a third conviction under like circumstances such additional period of imprisonment shall be for not less than fifteen nor for more than twenty-five years, such terms of additional imprisonment to run consecutively as before. Upon a fourth or subsequent conviction under like circumstances the person so convicted may be imprisoned for life or for a term of years not less than twenty-five years, within the discretion of the court wherein such fourth or subsequent conviction was had.

In the trial of a person charged with committing or attempting to commit a felony against the person of another while armed with any of the weapons mentioned in section one hereof, or while armed with any pistol, revolver or other firearm capable of being concealed upon the person, without having a license or permit to carry such firearm as hereinafter provided, the fact that he was so armed shall be prima facie evidence of his intent to commit such felony. Evidence.

SEC. 4. In no case shall any person punishable under the preceding sections of this act be granted probation by the trial court, nor shall the execution of the sentence imposed upon such person be suspended by the court. No probation or suspension of sentence

SEC. 5. Except as otherwise provided in this act, it shall be unlawful for any person within this state to carry concealed upon his person or within any vehicle which is under his control or direction any pistol, revolver or other firearm capable of being concealed upon the person without having a license to carry such firearm as hereinafter provided in section eight hereof. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and if he has been convicted previously of any felony, or of any crime made punishable by this act, he is guilty of a felony. Carrying certain firearms without license.

This section shall not be construed to prohibit any citizen of the United States, over the age of eighteen years, who resides or is temporarily sojourning within this state, and who is not within the excepted classes prescribed by section two hereof, from owning, possessing or keeping within his place of residence or place of business any pistol, revolver or other firearm capable of being concealed upon the person, and no permit or license to purchase, own, possess or keep any such firearm at his place of residence or place of business shall be required of any such citizen. Firearms carried openly in belt holsters shall not be deemed to be concealed within the meaning of this section, nor shall knives which are carried openly in sheaths suspended from the waist of the wearer. Exceptions.

SEC. 6. Nothing in the preceding section shall be construed to apply to or affect sheriffs, constables, marshals, policemen, whether active or honorably retired, or other duly appointed peace officers, nor to any person summoned by any such officers to assist in making arrests or preserving the peace while said person so summoned is actually engaged in assisting such officer; nor to the possession or transportation by any merchant of unloaded firearms as merchandise; nor to members of Police officers, soldiers, etc., exempted.

the army, navy, or marine corps of the United States, or the national guard, when on duty, or to organizations which are by law authorized to purchase or receive such weapons from the United States, or from this state; nor to duly authorized military or civil organizations while parading, nor to the members thereof when going to and from the places of meeting of their respective organizations; nor to members of any club or organization now existing, or hereafter organized, for the purpose of practicing shooting at targets upon the established target ranges, whether public or private, while such members are using any of the firearms referred to in this act upon such target ranges, or while going to and from such ranges; or to licensed hunters or fishermen while engaged in hunting or fishing, or while going to or returning from such hunting or fishing expedition.

Nuisances.

SEC. 7. The unlawful concealed carrying upon the person or within the vehicle of the carrier of any dirk, dagger, pistol, revolver, or other firearm capable of being concealed upon the person, is a nuisance. Any such weapons taken from the person or vehicle of any person unlawfully carrying the same are hereby declared to be nuisances, and shall be surrendered to the magistrate before whom said person shall be taken, except that in any city, city and county, town or other municipal corporation the same shall be surrendered to the head of the police force or police department thereof. The officers to whom the same may be so surrendered, except upon the certificate of a judge of a court of record, or of the district attorney of the county, that the preservation thereof is necessary or proper to the ends of justice, shall annually, between the first and tenth days of July, in each year, destroy or cause to be destroyed such weapons to such extent that the same shall become and be wholly and entirely ineffective and useless for the purpose for which it was manufactured; *provided, however*, that in the event any such weapon has been stolen and is thereafter recovered from the thief or his transferee, the same shall not be destroyed but shall be restored to the lawful owner thereof, so soon as its use as evidence has been served, upon his identification of the weapon and proof of ownership thereof. Blackjacks, slungshots, billys, sandclubs, sandbags and metal knuckles are hereby declared to be nuisances and shall be subject to confiscation and summary destruction whenever found within the state; *provided*, that upon the certificate of a judge or of the district attorney that the ends of justice will be subserved thereby, such weapon shall be preserved until the necessity for its use ceases.

Destruction
of weapons.Licenses to
carry
firearms.

SEC. 8. It shall be lawful for the sheriff of a county, and the board of police commissioners, chief of police, city marshal, town marshal, or other head of the police department of any city, city and county, town, or other municipal corporation of this state, upon proof before said board, chief, marshal or other police head, that the person applying therefor is of good moral character, and that good cause exists for the issuance thereof, to issue to such person a license to carry con-

concealed a pistol, revolver or other firearm for a period of one year from the date of such license. All applications for such licenses shall be filed in writing, signed by the applicant, and shall state the name, occupation, residence and business address of the applicant, his age, height, weight, color of eyes and hair, and reason for desiring a license to carry such weapon. Any license issued upon such application shall set forth the foregoing data and shall, in addition, contain a description of the weapon authorized to be carried, giving the name of the manufacturer, the serial number and the caliber thereof. When such licenses are issued by a sheriff a record thereof shall be kept in the office of the county clerk; when issued by police authority such record shall be maintained in the office of the authority by whom issued. Such applications and licenses shall be uniform throughout the state, upon forms to be prescribed by the attorney general.

SEC. 9. Every person in the business of selling, leasing or otherwise transferring a pistol, revolver or other firearm, of a size capable of being concealed upon the person, whether such seller, lessor or transferrer is a retail dealer, pawnbroker or otherwise, except as hereinafter provided, shall keep a register in which shall be entered the time of sale, the date of sale, the name of the salesman making the sale, the place where sold, the make, model, manufacturer's number, caliber or other marks of identification on such pistol, revolver or other firearm. Such register shall be prepared by and obtained from the state printer and shall be furnished by the state printer to said dealers on application at a cost of three dollars per one hundred leaves in duplicate and shall be in the form hereinafter provided. The purchaser of any firearm, capable of being concealed upon the person shall sign, and the dealer shall require him to sign his name and affix his address to said register in duplicate and the salesman shall affix his signature in duplicate as a witness to the signatures of the purchaser. Any person signing a fictitious name or address is guilty of a misdemeanor. The duplicate sheet of such register shall on the evening of the day of sale, be placed in the mail, postage prepaid and properly addressed to the board of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the city, city and county, town or other municipal corporation wherein the sale was made; *provided*, that where the sale is made in a district where there is no municipal police department, said duplicate sheet shall be mailed to the county clerk of the county wherein the sale is made. A violation of any of the provisions of this section by any person engaged in the business of selling, leasing or otherwise transferring such firearm is a misdemeanor. This section shall not apply to wholesale dealers in their business intercourse with retail dealers, nor to wholesale or retail dealers in the regular or ordinary transportation of unloaded firearms as merchandise by mail, express or other mode of shipment, to points outside of the city, city and county, town or municipal corporation wherein

Applications.

Record.

Dealers registers.

Cost.

Signatures.

Disposition of duplicate sheets.

Penalty.

700

STATUTES OF CALIFORNIA.

[Ch. 339]

Form of
register.

they are situated. The register provided for in this act shall be substantially in the following form:

Form of Register.

Series No.-----

Sheet No.-----

ORIGINAL.

Dealers' Record of Sale of Revolver or Pistol.

State of California.

Notice to dealers: This original is for your files. If spoiled in making out, do not destroy. Keep in books. Fill out in duplicate.

Carbon duplicate must be mailed on the evening of the day of sale, to head of police commissioners, chief of police, city marshal, town marshal or other head of the police department of the municipal corporations wherein the sale is made, or to the county clerk of your county if the sale is made in a district where there is no municipal police department. Violation of this law is a misdemeanor. Use carbon paper for duplicate. Use indelible pencil.

Sold by----- Salesman-----
City, town or township -----
Description of arm (state whether revolver or pistol)-----
Maker----- Number----- Caliber-----
Name of purchaser -----age-----years.
Permanent residence (state name of city, town or township,
street and number of dwelling)-----
Height -----feet-----inches. Occupation-----
Color -----skin-----eyes-----hair-----
If traveling or in locality temporarily, give local address

Signature of purchaser-----
(Signing a fictitious name or address is a misdemeanor.) (To
be signed in duplicate.)

Witness-----, salesman.
(To be signed in duplicate.)

Series No.-----

Sheet No.-----

DUPLICATE.

Dealers' Record of Sale of Revolver or Pistol.

State of California.

Notice to dealers: This carbon duplicate must be mailed on the evening of the day of sale as set forth in the original of this register page. Violation of this law is a misdemeanor.

Sold by----- Salesman-----
City, town or township -----
Description of arm (state whether revolver or pistol)-----
Maker -----number-----caliber-----

Name of purchaser _____ age _____ years.
 Permanent address (state name of city, town or township,
 street and number of dwelling) _____

Height _____ feet _____ inches. Occupation _____
 Color _____ skin _____ eyes _____ hair _____
 If traveling or in locality temporarily, give local address _____

Signature of purchaser _____
 (Signing a fictitious name or address is a misdemeanor.) (To
 be signed in duplicate.)

Witness _____, salesman.
 (To be signed in duplicate.)

SEC. 10. No person shall sell, deliver or otherwise transfer any pistol, revolver, or other firearm capable of being concealed upon the person to any person whom he has cause to believe to be within any of the classes prohibited by section two hereof from owning or possessing such firearms, nor to any minor under the age of eighteen years. In no event shall any such firearm be delivered to the purchaser upon the day of the application for the purchase thereof, and when delivered such firearm shall be securely wrapped and shall be unloaded. Where neither party to the transaction holds a dealer's license, no person shall sell or otherwise transfer any such firearm to any other person within this state who is not personally known to the vendor. Any violation of the provisions of this section shall be a misdemeanor.

Restrictions
on transfer
of certain
firearms.

SEC. 11. The duly constituted licensing authorities of any county, city and county, city, town or other municipality within this state, may grant licenses in form prescribed by the attorney general, effective for not more than one year from date of issue, permitting the licensee to sell at retail within the said county, city and county, city, town or other municipality pistols, revolvers, and other firearms capable of being concealed upon the person, subject to the following conditions, for breach of any of which the license shall be subject to forfeiture:

Local
licenses for
sale of cer-
tain firearms.

1. The business shall be carried on only in the building designated in the license.

2. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be read.

3. No pistol or revolver shall be delivered

(a) On the day of the application for the purchase, and when delivered shall be unloaded and securely wrapped; nor

(b) Unless the purchaser either is personally known to the seller or shall present clear evidence of his identity.

4. No pistol or revolver, or imitation thereof, or placard advertising the sale or other transfer thereof, shall be displayed in any part of said premises where it can readily be seen from the outside.

Penalty for
dealing in
certain fire-
arms without
license.

SEC. 12. Any person who, without being licensed as above provided, engages in the business of selling or otherwise transferring, or who advertises for sale, or offers or exposes for sale or transfer, any pistol, revolver or other firearm capable of being concealed upon the person is guilty of a misdemeanor.

Tampering
with marks
on certain
firearms.

SEC. 13. No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol or revolver. Possession of any such firearm upon which the same shall have been changed, altered, removed, or obliterated, shall be presumptive evidence that such possessor has changed, altered, removed, or obliterated the same. Violations of this section shall be punished by imprisonment in the state prison for not less than one year nor more than five years.

Penalty.

Expiration
of current
licenses.

SEC. 14. All licenses heretofore issued within this state permitting the carrying of pistols or revolvers concealed upon the person shall expire at midnight of December 31, 1924.

Antique
pistols, etc.

SEC. 15. This act shall not apply to antique pistols or revolvers incapable of use as such.

Constitution-
ality.

SEC. 16. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Stats. 1917,
p. 224,
repealed.

SEC. 17. That certain act entitled, "An act relating to and regulating the carrying, possession, sale or other disposition of firearms capable of being concealed upon the person; prohibiting the possession, carrying, manufacturing and sale of certain other dangerous weapons and the giving, transferring and disposition thereof to other persons within this state; providing for the registering of the sales of firearms; prohibiting the carrying or possession of concealed weapons in municipal corporations; providing for the destruction of certain dangerous weapons as nuisances and making it a felony to use or attempt to use certain dangerous weapons against another," approved May 4, 1917, is hereby repealed.



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L A W S
OF THE
STATE OF NEW YORK

PASSED AT THE
ONE HUNDRED AND FIFTY-FOURTH SESSION

OF THE
LEGISLATURE

BEGUN JANUARY SEVENTH, 1931, AND ENDED APRIL
TENTH, 1931

ALSO CHAPTERS 773-799; PASSED AT THE EXTRAORDI-
NARY SESSION OF THE LEGISLATURE, BEGUN
AUGUST 25, 1931, AND ENDED SEPTEMBER 19, 1931

AT THE CITY OF ALBANY

AND ALSO OTHER MATTERS REQUIRED BY LAW TO
BE PUBLISHED WITH THE SESSION LAWS

VOL. I



ALBANY
J. B. LYON COMPANY, STATE PRINTERS
1931

CHAPTER 435

AN ACT to amend the penal law, in relation to carrying and use of glass pistols

Became a law April 15, 1931, with the approval of the Governor. Passed, three-fifths being present

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision one of section eighteen hundred and ninety-seven of the penal law is hereby amended to read as follows: § 1897.
subd. 1
amended.

1. A person who attempts to use against another an imitation pistol,¹ or who carries, or possesses any instrument or weapon of the kind commonly known as a black-jack, slungshot, billy, sand club, sandbag, metal knuckles, bludgeon, or who, with intent to use the same unlawfully against another, carries or possesses a dagger, dirk, dangerous knife, razor, stiletto, imitation pistol, machine-gun, sawed off shot-gun,² or any other dangerous or deadly instrument, or weapon, is guilty of a misdemeanor, and if he has been previously convicted of any crime he is guilty of a felony.

§ 2. This act shall take effect September first, nineteen hundred thirty-one. In effect
Sept. 1,
1931.

CHAPTER 436

AN ACT to amend chapter thirty of the laws of nineteen hundred thirty-one, entitled "An act making an appropriation for the payment by the state in the first instance of the state's share of the cost of construction and reconstruction of rural post roads within the state under the provisions of the federal highway act, as amended, as a temporary advance of funds to be actually paid out by the state for work to be performed under new contracts before September first, nineteen hundred thirty-one, for federal aid projects in order to obtain the advancement of the sum of four million fifty thousand five hundred and sixty-six dollars allotted by the United States secretary of agriculture to the state under the act of congress, entitled 'An act making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June thirtieth, nineteen hundred thirty-one, with a view to increasing employment,' approved December twentieth, nineteen hundred thirty," in relation to unexpended balances

Became a law April 15, 1931, with the approval of the Governor. Passed, on message of necessity, three-fifths being present

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter thirty of the laws of nineteen hundred thirty-one, entitled "An act making an appropriation for the payment by the state in the first instance of the state's share of the L. 1931.
ch. 80
amended.

¹ Words "an imitation pistol" new.

² Words "imitation pistol, machine gun, sawed off shot-gun," new.